

WMA, P&O/RB Board and Energy Council (EC) Members

Jennifer West, **WMA President**

Emeryville, WMA, EC

Pauline Cutter, **WMA & EC 1st Vice President**

San Leandro, WMA, EC

Jerry Pentin, **WMA 2nd Vice President**

Pleasanton, WMA, RB

Anu Natarajan, **RB President**

Fremont, WMA, EC, RB

Daniel O'Donnell, **RB 1st Vice President**

Environmental Organization, RB

Dan Kalb, **EC 2nd Vice President**

Oakland, WMA, EC

Keith Carson, Alameda County, WMA, EC

Lena Tam, Alameda, WMA, EC

Peter Maass, Albany, WMA, EC

Gordon Wozniak, Berkeley, WMA, EC, RB

Dave Sadoff, Castro Valley Sanitary District, WMA

Don Biddle, Dublin, WMA, EC

Greg Jones, Hayward, WMA, EC

Laureen Turner, Livermore, WMA

Luis Freitas, Newark, WMA, EC

Laython Landis, Oro Loma Sanitary District, WMA

Tim Rood, Piedmont, WMA, EC

Lorin Ellis, Union City, WMA, EC, RB

Chris Kirschenheuter, Recycling Programs, RB

Michael Peltz, Solid Waste Industry Representative, RB

Steve Sherman, Source Reduction Specialist, RB

Toni Stein, Environmental Educator, RB

Minna Tao, Recycling Materials Processing Industry, RB

AGENDA

**JOINT MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT
AUTHORITY (WMA) BOARD,
THE SOURCE REDUCTION AND RECYCLING BOARD (RB)
AND
THE ENERGY COUNCIL (EC)**

Wednesday, September 17, 2014

3:00 P.M.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

And

**Via Teleconference
Michael Peltz
Westin Hotel
909 N Michigan Ave.
Chicago, IL 60611
(312) 943-7200**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice by calling 510-891-6500. Members of the public wanting to add an item to a future agenda may contact 510-891-6500.

I. CALL TO ORDER (WMA, EC & RB)

II. ROLL CALL (WMA, EC, & RB)

III. ANNOUNCEMENTS BY THE PRESIDENTS - Welcome new Board Members

(Members are asked to please advise the boards or the council if you might need to leave before action items are completed)

Page IV. CONSENT CALENDAR (WMA, EC & RB)

1	1. Approval of the Draft Minutes of June 25, 2014 and July 23, 2014 (WMA & EC-Separate Votes) (Gary Wolff)	Action
11	2. Approval of the Draft Minutes of June 12, 2014, July 10, 2014 & August 14, 2014 (RB only) (Gary Wolff)	Action
19	3. Energy Upgrade California Community Ambassadors Grant acceptance (EC only) (Gary Wolff, Wendy Sommer & Karen Kho) Adopt the attached Resolution.	Action
25	4. Minutes of the July 18, 2014 and August 27, 2014 Technical Advisory Group (TAG) (EC only) (Gary Wolff, Wendy Sommer & Karen Kho)	Information
29	5. Recycling Board Attendance Record (RB only) (Gary Wolff)	Information

31	6. Written Report of Ex Parte Communications (RB only) (Gary Wolff)	Information
33	7. Grants Under \$50,000 (WMA & RB only) (Gary Wolff) OPEN PUBLIC DISCUSSION (WMA, EC & RB) An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the boards or council, but not listed on the agenda. V. Total time limit of 30 minutes with each speaker limited to three minutes.	Information
	VI. REGULAR CALENDAR (WMA, EC & RB)	
37	1. Reusable Bag Ordinance – Update and Change in Bag Price Recommendation (WMA only) (Gary Wolff & Meri Soll) Staff recommends that Authority Board make a finding that the ordinance has achieved its goal to substantially reduce environmental impacts. Under the terms of the ordinance, making this finding means that the minimum price per compliant bag will not increase from 10 cents to 25 cents.	Action
43	2. WMA Vacancies on the Recycling Board (WMA only) (Gary Wolff) Make an appointment to the Recycling Board now, and schedule other possible replacement appointments on the November WMA meeting agenda.	Action
	3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only) (P&O and Recycling Board meeting, October 9th at 7:00 pm - Castro Valley Library, 3600 Norbridge Ave, Castro Valley, CA)	Action
45	4. Enforcement Update (WMA & RB only) (Gary Wolff & Brian Mathews) This report is for information only.	Information
57	5. Preview of New Agency Website (WMA, EC & RB) (Gary Wolff & Jeff Becerra) This report is for information only.	Information
59	VII. COMMUNICATIONS/MEMBER COMMENTS (WMA, EC & RB) • Recycling Board Member Reports from CRRRA (RB only) (Gary Wolff)	Information
	VIII. ADJOURNMENT - WMA & RB	
	IX. REGULAR CALENDAR (EC)	
61	X. Community Choice Aggregator – Letters of Interest (EC only) (Gary Wolff & Wendy Sommers) Staff recommends that the Energy Council: 1. Elect the 1 st Vice President to be the President of the Council; the 2 nd Vice President to fill the 1 st Vice President position; and another Council member to fill the 2 nd Vice President role 2. Review, approve, and authorize the Council President and Executive Director to sign and send the attached letters	Action
	XI. ADJOURNMENT (EC)	

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**MINUTES OF THE REGULAR MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD
AND
THE ENERGY COUNCIL (EC)**

Wednesday, June 25, 2014

3:00 p.m.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

I. CALL TO ORDER

President Biddle, WMA, called to meeting to order at 3:00 p.m.

II. ROLL CALL

WMA & EC

County of Alameda	Keith Carson (arrived 3:15 p.m. left 3:45 p.m.)
City of Alameda	Lena Tam (left 4:40 p.m.)
City of Albany	Joanne Wile (left 4:45 p.m.)
City of Berkeley	Kriss Worthington (left 4:40 p.m.)
Castro Valley Sanitary District	Dave Sadoff (left 4:40 p.m.)
City of Dublin	Don Biddle
City of Emeryville	Jennifer West
City of Fremont	Anu Natarajan
City of Hayward	Barbara Halliday
City of Newark	Luis Freitas (left 4:30 p.m.)
City of Oakland	Dan Kalb (arrived 3:05 p.m.)
Oro Loma Sanitary District	Laython Landis (left 4:10 p.m.)
City of Piedmont	Tim Rood
City of Pleasanton	Jerry Pentin (left 4:40 p.m.)
City of San Leandro	Pauline Cutter

Absent:

City of Union City	Lorin Ellis
City of Livermore	Laureen Turner

Staff Participating:

Gary Wolff, Executive Director
Wendy Sommer, Principal Program Manager
Richard Taylor, Counsel, Authority Board
Arliss Dunn, Clerk of the Board

Others Participating:

Seth Baruch, Carbonomics
Tom Kelly, KyotoUSA

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III. ANNOUNCEMENTS BY THE PRESIDENTS

There were none.

CLOSED SESSION:

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (pursuant to Government Code Section 54957) – Title: Executive Director. (confidential materials mailed separately)
2. Pursuant to Government Code Section 54957 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Legal Counsel) - (confidential materials mailed separately)

There was nothing to report from the closed sessions.

IV. CONSENT CALENDAR (WMA & EC)

1. **Approval of the Draft Minutes of May 28, 2014 (WMA & EC-Separate Votes)** **Action**
(Gary Wolff)
2. **Proposed Budget Adjustments for FY13/14 and FY14/15 (WMA only)** **Action**
Staff recommends that the WMA Board approve the following actions:
 1. Increase the Authority's total spending appropriation for FY 13/14 by \$120,000, which will be reimbursed by the countywide HHW program as outlined in Attachment A.
 2. Change the funding source for project 1240 in FY14/15 (the HHW point of purchase alternative project), totaling \$262,858, to the externally funded category for reimbursement by the countywide HHW program as outlined in Attachment B. Direct staff to incorporate these changes in the final FY14/15 budget document.
3. **Legislative Positions -- Update for 2013/2014 Session (Gary Wolff) (WMA only)** **Action**
Staff and the committees recommend that the Waste Management Authority adopt the legislative positions stated in the linked memo provided to the committees.
4. **Minutes of the June 17, 2014 Technical Advisory Group (TAG)** **Information**
(EC only) (Gary Wolff)
5. **Grants Under \$50,000 (WMA only) (Gary Wolff)** **Information**

Mr. Worthington made the motion to approve the Consent Calendar for the WMA Board. Mr. Freitas seconded and the motion carried 16-0 (Carson, Ellis, and Turner absent).

Ms. Cutter made the motion to approve the Consent Calendar for the Energy Council. Ms. Halliday seconded and the motion carried 15-0 (Carson and Ellis absent).

V. OPEN PUBLIC DISCUSSION (WMA & EC)

There was none.

VI. REGULAR CALENDAR (WMA only)

1. **Benchmark Service Opt-Out Update and Options (Gary Wolff) (WMA only)** **Action**
Staff recommends that the Authority Board take no action.

Mr. Wolff provided an overview of the staff report and a powerpoint presentation. The staff report is available here: <http://www.stopwaste.org/docs/06-25-14-benchmark.pdf> and the presentation is available here: <http://www.stopwaste.org/docs/bmpres.pdf>

Mr. Rood inquired if the fee opt-out process excludes the resident from sampling. Mr. Wolff stated no, but the resident can separately request to be excluded from sampling. Mr. Wolff indicated new accounts will be able to opt-out of the fee and report but the opt-out deadline has passed for existing account holders. Ms. Halliday inquired about violation of privacy with respect to curbside sampling. Mr. Wolff stated legal

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research indicates there are no privacy concerns under the fifth Amendment and access issues are allayed once the materials are placed curbside. Ms. Halliday stated that it would be helpful for the next report to include information on where to put materials.

Ms. Wile stated her support for the staff recommendation. Mr. Biddle inquired if staff will develop an assessment tool. Mr. Wolff stated yes, but work on that has not begun yet.

Rebecca Jewell, Recycling Program Manager, Waste Management, Inc. stated that Waste Management, Inc. strongly supports the benchmark program as it helps to guide outreach efforts with respect to informing the public on how to properly recycle.

Ms. West made the motion to accept the staff recommendation to take no action. Mr. Rood seconded and the motion carried 14-0 (Carson, Ellis, Freitas, Landis, and Turner, absent).

2. Election of Officers for Fiscal Year 2014-2015 (Gary Wolff) (WMA only)

Staff recommends that the Authority Board elect officers for the 2014-2015 fiscal year.

Ms. Cutter made the motion to elect Ms. West as President. Mr. Rood seconded and the motion carried 14-0 (Carson, Ellis, Freitas, Landis, and Turner, absent). Ms. Natarajan made the motion to elect Ms. Cutter as 1st Vice President. Mr. Pentin seconded and the motion carried 14-0 (Carson, Ellis, Freitas, Landis, and Turner, absent). Ms. West made the motion to elect Mr. Pentin as 2nd Vice President. Mr. Rood seconded and the motion carried 14-0 (Carson, Ellis, Freitas, Landis, and Turner, absent).

3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only) **Action**

(P&O and Recycling Board meeting - Finelite, Inc., Union City - July 10, 2014 at 7:00 p.m.)

There were none.

4. Election of Officers for Fiscal Year 2014-2015 (Gary Wolff) (EC only) **Action**

Staff recommends that the Energy Council elect officers for the 2014-2015 fiscal year.

Ms. Cutter made the motion to elect Ms. Halliday as President. Mr. Kalb seconded and the motion carried 14-0 (Carson, Ellis, and Freitas absent). Ms. Halliday made the motion to elect Ms. Cutter as 1st Vice President. Mr. Kalb seconded and the motion carried 14-0 (Carson, Ellis, and Freitas absent). Ms. Wile made the motion to elect Mr. Kalb as 2nd Vice President. Ms. West seconded and the motion carried 14-0 (Carson, Ellis, and Freitas absent).

5. Community Choice Aggregation (CCA) – Informational Presentation (Wendy Sommer) (EC only) **Information**

Ms. Sommer provided an overview of the staff report: The report is available here:

<http://www.stopwaste.org/docs/06-25-14-cca.pdf>.

Ms. Sommer introduced Seth Baruch, Carbonomics and Tom Kelly, KyotoUSA, who presented an overview of CCAs. The powerpoint presentation and handouts are available here:

www.stopwaste.org/docs/CCA_101_06_2014.pdf and http://stopwaste.org/docs/CCA-Handouts_6_25%2014.pdf.

An audio of the presentation is available here: www.stopwaste.org/docs/06-25-14%20WMA-EC-2.mp3

VII. COMMUNICATIONS/MEMBER COMMENTS (WMA & EC) **Information**

Mr. Wolff presented a recycled content glass bowl to Mr. Biddle for his service as the immediate past President of the Authority Board.

VIII. ADJOURNMENT (WMA & EC)

The meeting adjourned at 5:30 p.m.

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**MINUTES OF THE REGULAR MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD
AND
THE ENERGY COUNCIL (EC)**

Wednesday, July 23, 2014

3:00 p.m.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

I. CALL TO ORDER

President West called the meeting to order at 3:00 p.m.

II. ROLL CALL

WMA & EC

County of Alameda	Keith Carson (arrived 3:15 p.m.)
City of Alameda	Lena Tam
City of Albany	Peter Maass
City of Berkeley	Gordon Wozniak
Castro Valley Sanitary District	Dave Sadoff
City of Dublin	Don Biddle
City of Emeryville	Jennifer West
City of Fremont	Anu Natarajan (arrived 3:02 p.m.)
City of Hayward	Barbara Halliday
City of Newark	Luis Freitas
City of Oakland	Dan Kalb (arrived at 3:40 p.m.)
Oro Loma Sanitary District	Laython Landis
City of Piedmont	Tim Rood
City of Pleasanton	Jerry Pentin (arrived 3:05 p.m.)
City of San Leandro	Pauline Cutter
City of Union City	Lorin Ellis (arrived at 3:19 p.m.)

Absent:

City of Livermore	Laureen Turner
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Staff Participating:

Gary Wolff, Executive Director
Wendy, Senior Program Manager
Richard Taylor, Counsel, Authority Board
Chinwe Omani, Executive Assistant

Others Participating:

Bill Pollock, HHW Program Manager

III. ANNOUNCEMENTS BY THE PRESIDENTS

There were none.

IV. CONSENT CALENDAR (WMA & EC)

(President West stated that the June minutes will be slotted for the September agenda)

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| 1. | EPA Seeds of Change Award (WMA Only) | Information |
| 2. | Grants under \$50,000 (WMA Only) | Information |

V. OPEN PUBLIC DISCUSSION (WMA & EC)

There was none.

VI. REGULAR CALENDAR (WMA & EC)

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| 1. | Actions to Implement the Countywide Household Hazardous Waste (HHW) Program Expansion (Gary Wolff) (WMA Only) | Action |
|----|--|---------------|

Staff recommended that the WMA Board approve the Fee Collection Report for FY2014/15, the MOUs with the County of Alameda and the City of Fremont, and the Budget Amendment Resolution.

Mr. Wolff provided an overview of the staff report. The report is available here:

<http://www.stopwaste.org/docs/07-23-14-hhw-expansion.pdf>. Mr. Biddle inquired if there would be any more MOUs when the implementation of expanded service occurs. Mr. Wolff responded that there would not be any more MOUs and that there are no further actions required of the Board in this matter after the currently presented items are done. Ms. Halliday asked if Mr. Wolff could elaborate on what he meant by increasing “transparency” as it relates to the change in how the money would be handled for the HHW program. Mr. Wolff responded that in the past the Agency Budget did not include the total costs of the HHW program but only included the portion of funds that were directly implemented by the Agency. However, Mr. Wolff stated that though the County had a budget for the full amount of county spending; the HHW budget was a very small part of the County’s \$2.8 billion budget, and therefore was not easily accessible to the public. President West opened the floor for public discussion and comments. There was one speaker, Marcus Crawley. Mr. Crawley stated that he intended to file a Petition for Writ of Mandate to stop the HHW Ordinance because it was unconstitutional and implored Board members to initiate a vote to set it aside.

After hearing from Mr. Crawley, President West requested that legal counsel respond to Mr. Crawley’s request regarding the serving of legal papers to the Agency and the process. Mr. Taylor responded that the Agency could be served in the manner that is in accordance with Law and that there was no requirement that it occur at a public meeting. Mr. Taylor also mentioned that the section quoted by Mr. Crawley applies to actions that don’t involve refuse collection fees and since the ordinance in question is for a refuse collection fee, the section quoted does not apply.

Mr. Wozniak asked if it was legal counsel’s opinion that the HHW ordinance as it stood met the constitutional requirements. Mr. Taylor responded that the Agency went through the protest process that the constitution requires for this kind of fee and that it meets the standards applicable in the constitution.

Ms. Cutter asked for clarification on the Fremont HHW facility and wanted to know if BLT will still operate the facility or if it would be under the Agency’s management. Mr. Wolff stated that BLT Enterprises runs the facility and that the Agency will pay the City of Fremont who will then pay the operator of the Facility and that we have no direct relationship with the operator. Ms. Cutter also inquired if the services paid for in the City of Fremont were equal to the services paid for at the County. Mr. Wolff said yes and also stated that the Fremont facility was open more hours so they had more users but the density of use (users per hour), has not been as high compared to the County facilities.

Mr. Wolff clarified the voting requirements on the HHW items for the Board members.

Mr. Wozniak made the motion to approve the first three recommendations (approve the Fee Collection Report for FY 2014/2015 and the new MOUs with the County of Alameda and the City of Fremont). Ms. Cutter seconded and the motion carried 15-1 (Sadoff, no) (Kalb and Turner, absent).

Mr. Wozniak made the motion to approve the fourth recommendation (the Budget Amendment Resolution). Ms. Cutter seconded and the motion carried 15-1 (Sadoff, no) (Kalb and Turner, absent).

2. WMA Vacancy on the Recycling Board (Gary Wolff) (WMA Only)

Action

Make an appointment to the Recycling Board.

Mr. Pentin made the motion to nominate Mr. Ellis to the Recycling Board. Ms. Natarajan seconded and the motion carried 16-0 (Kalb and Turner, absent).

3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend Future Board Meeting(s) (WMA only)

Action

Tim Rood & Don Biddle volunteered to serve as Interims for Anu Natarajan & Jerry Pentin at the RB meeting for August 14, 2014. Ms. Halliday made the motion to approve the interim appointments. Ms. Tam seconded and the motion carried 16-0 (Kalb and Turner absent)

4. Community Choice Aggregation (CCA) – Energy Council’s Role (Gary Wolff & Wendy Sommer) (EC only)

Information

Ms. Sommer stopped her presentation of the report to allow Mr. Crawley a moment to serve legal papers to the Board. Legal papers were served at 3:34pm.

Ms. Sommer continued with her presentation of the staff report. The report is available here:

<http://www.stopwaste.org/docs/07-23-14-ccat.pdf>

Ms. Sommer then shared the potential “next steps” that included; (1) requesting County staff to provide frequent updates regarding CCA information to the Energy Council’s Technical Advisory Group. (2) Member agencies joining a CCA designate the Energy Council as the coordinator for the energy efficiency programs within Alameda County. (3) Create a MOU with any CCAs operating in Alameda County to allow the Energy Council to better target & coordinate the delivery of energy efficiency programs within Alameda County. (4) Recommend to the County that the Energy Council & Technical Advisory Group representatives serve as members of the CCA JPA advisory committee to increase coordination on energy policy and programs. (5) If a County CCA is formed, work with the County to execute a Power Purchase Agreement with Green Ridge to provide wind energy generated at the Authority’s property at Altamont.

Ms. Sommer turned the discussion over to Albert Lopez, Planning Director for Alameda County. Mr. Lopez stated that the staff report captured most of the County’s efforts to date and that the County was in the preliminary stages of developing the CCA and that there were no concerns with the recommendations in the staff report. Mr. Lopez also stated that the County Administrative office will be sending letters to the City Managers to get authorization from the cities to collect “load data” from PG&E before moving to the feasibility study. Mr. Lopez also mentioned that Bruce Jensen, County staff who is also involved with the effort, was available to answer any questions.

Ms. Natarajan asked Mr. Lopez about the timeline for the CCA and what would be the next steps if there was feasibility. Mr. Lopez responded that it would take approximately 18 months to collect the load data and conduct the feasibility study. He also stated that once the study is complete, the next steps would be the formation of the JPA, CCA Board and then procurement of energy. Mr. Wozniak commented that the City of Berkeley had a recent Climate Action report and noticed the problem was not electricity but heating and natural gas. Mr. Wozniak inquired if a CCA could really provide power with less greenhouse emissions and without “accounting tricks” and that he hopes the County will do an honest analysis and compare “apples to apples”.

Mr. Lopez responded that they hoped to answer these questions through the Feasibility study and that the CCA would have to be able to offer competitive rates.

Mr. Rood asked that Board member Wozniak clarify the use of ‘accounting tricks’ and whether this meant the purchase of renewable energy certificates. Mr. Wozniak stated that the comparison should be between how much greenhouse gas emissions are emitted by a certain power mix from the CCA and the other source.

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Mr. Wozniak also stated that all the comparisons currently are for renewable energy versus non-renewable energy, and what is needed is a comparison in terms of CO2 which is a fundamental climate issue.

Mr. Kalb stated that the State has created a set of definitions on renewable energy and those potential CCAs are basing their evaluations, marketing and advocacy on the State's existing policies and are not creating their own separate policies. He also stated that investor owned utility companies are using nuclear energy and that it has pros and cons but comparing greenhouse gases and nothing else would be a bad idea because it would only consider the "pluses" of nuclear energy and not the "minuses" and risks.

Mr. Kalb went on to say that if Renewable Energy Certificates are earned or purchased through genuine renewable energy being created in California, it could have a significant benefit for the State. However, since the CCA doesn't really exist yet we can't evaluate that right now. Mr. Kalb also stated that he has studied this issue for some years and that he is in favor of looking into the CCA and leaving the options open. Ms. Sommer stated that the next step should be to form collaboration with the County so that there would be a forum to address concerns like higher level policies, rates, and markets to target etc.

Ms. Halliday stated that there was some feedback from City of Hayward staff regarding the designation of the Energy Council as the coordinator of the energy efficiency programs in Alameda County. Ms. Halliday inquired if the presented issues in the staff report would be considered in the scope of the County's feasibility study. Mr. Lopez responded that the main purpose of the CCA is to provide energy so the issues aren't necessarily related to whether the County could provide affordable rates and GHG targets.

Ms. Halliday suggested that since the issues may not be addressed in the feasibility study the recommendations may be a bit premature. Mr. Lopez stated that it is not premature and coordinating energy efficiency programs starting now is a good idea and that it shouldn't hurt the overall process.

Ms. Sommer asked for clarification on next steps. Ms. Halliday invited Eric Pearson, Environmental Services Manager from the City of Hayward to speak. Mr. Pearson stated that they are not necessarily objecting to the recommendations in the staff report, but they would like to see the feasibility study explore a range of options in terms of providing energy efficiency programs, governance structure, and advisory committees. Ms. Halliday suggested that since the issues considered are not necessarily in the feasibility study; the recommendations shouldn't be considered just yet since the CCA isn't formed yet. Ms. Sommer suggested that they at least consider the recommendation that the Energy Council Board and TAG representatives serve as members of a CCA JPA Board or advisory committee since they are on the Energy Council and are familiar with Energy issues. And their input wouldn't be timely if it had to wait until a CCA is formed. Ms. Halliday agreed that would be fine. Mr. Lopez agreed that it would be a great idea to have representation from the Energy Council on the steering committee. Ms. Natarajan stated that the suggested next steps are great but are too specific for right now; Ms. Natarajan suggested that a letter of interest be sent to the Board of Supervisors promoting the Energy Council and its expertise, as well as informing them that the Energy Council would like to be part of the process. Ms. Halliday agreed that this was a good suggestion.

Mr. Biddle asked if there were revenue implications for the Energy Council and grants received. Mr. Wolff responded that this was not known as of yet but that these were potential bumps in the road associated with operation of any CCA in Alameda County. Mr. Wolff also stated that there are funding buckets from the CPUC that are used in different areas and that there is a possibility that energy efficiency work associated with the service area of a CCA would only be funded directly through the CCA, which would mean that if the County forms a CCA, or the Marin or Sonoma CCA begins to operate in Alameda County, possibly the only way to get energy efficiency funds would be from the CCA. However, Mr. Wolff stated that this potential funding problem for the successful work of the Energy Council would likely not be a problem if the issue is discussed in advance, as we are doing now, and the work of the Energy Council is integrated with a CCA if it is formed.

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Councilmember Maass inquired if the PACE program (Property Assessed Clean Energy), private/public funding is going to be considered as a potential funding source. The City of Albany recently signed up with Riverside Council of Governments for their HERO program. Ms. Sommer responded that they are currently coordinating with the PACE providers and updates on the PACE program are given monthly at the TAG meetings.

Mr. Rood suggested a change to the last recommendation of the next steps regarding procurement of a wind purchasing agreement with Green Ridge. Mr. Rood stated that since there is no guarantee that both parties will find it in their best interest to go forth with the agreement because it is essentially a market operation, the recommendation should be reworded to say something like; "Consider purchasing wind energy from Green Ridge."

Ms. West stated that she will be looking forward to the feasibility study; however, she wouldn't like to second guess that Energy Council members would serve on the JPA. Ms. West also stated that she welcomes the idea of a letter of interest.

Ms. Halliday suggested that the Energy Council give staff directions regarding the letter of interest. Ms. Natarajan stated that if there were any impacts to the timeline or if staff thought the letter needed to be sent before the next meeting that she would be open to the idea of forming a committee of the Energy Council working with staff on the letter. Ms. Halliday asked if there were board members who would be willing to join such a committee. Ms. Natarajan, Ms. Halliday and Mr. Kalb volunteered to serve on the subcommittee should the need arise.

Ms. Tam asked why there was such an urgency to get the letter done before September. Ms. Sommer responded that if the County started approaching different member agencies and or City Managers, it would be good to have a letter sent to them ahead of time informing them of the Energy Council's intentions and plans. Ms. Halliday suggested that staff draft a letter and bring it for review to the Energy Council's meeting in September, and if there was any need for a letter prior to then, that staff consult with the members who volunteered to serve on a committee. The Council, by consensus, agreed with that direction to staff.

VII. COMMUNICATIONS/MEMBER COMMENTS (WMA & EC)

Information

Mr. Rood shared that he went to a very informative tour of the Richmond Transfer Station organized by the League of Women Voters of Piedmont. Mr. Wolff handed out an Opinion Editorial; "SF's Recycling Claims Are Garbage." He stated that he was not endorsing the article, but wanted the Board to know that criticism of the state diversion rate calculation method is in the press, and should anyone ask about our diversion percentages, our answer is that we use the state method only for compliance with state law, but use a much more common sense and defensible method (how much recyclable and compostable material is in the garbage). Ms. Halliday mentioned that she enjoyed the Recycling Board tour to Finelite in Union City and that she was thankful to staff for suggesting the tour.

Mr. Wolff stated that the next Board meeting will be a joint meeting of the RB, WMA, & the Energy Council on September 17, 2014.

VIII. ADJOURNMENT (WMA & EC)

The meeting adjourned at 4:16pm

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**MINUTES OF THE REGULAR MEETING OF THE
PLANNING & ORGANIZATION COMMITTEE
AND
ALAMEDA COUNTY RECYCLING BOARD**

**Thursday, June 12, 2014
4:00 p.m.**

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

**Via teleconference:
Steve Sherman
3139 Lewiston Avenue
Berkeley, CA 94705
510-655-1121**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice to 510-891-6500.

I. CALL TO ORDER

President Anu Natarajan called the meeting to order at 4:00 p.m.

II. ROLL CALL

Jerry Pentin
Barbara Halliday
Anu Natarajan
Daniel O'Donnell
Michael Peltz
Steve Sherman (via teleconference)
Minna Tao (arrived 4:05 p.m.)
Gordon Wozniak (arrived 4:10 p.m.)

Absent:

Chris Kirschenheuter
Laureen Turner

Staff Present:

Gary Wolff, Executive Director
Pat Cabrera, Administrative Services Director
Jeff Becerra, Communications Manager
Meri Soll, Program Manager
Audrey Beaman, Recycling Board Counsel
Arliss Dunn, Clerk of the Board

III. ANNOUNCEMENTS BY THE PRESIDENT

On behalf of the Board, President Natarajan extended congratulations to Board member Halliday on her election as Mayor of the city of Hayward. Mayor Halliday indicated as the Mayor of Hayward she will continue to serve as the representative to StopWaste.

IV. CONSENT CALENDAR (P&O & RB)

- | | |
|---|--------------------|
| 1. Approval of the Draft Minutes of May 8, 2014 (Gary Wolff) | Action |
| 2. Board Attendance Record (Gary Wolff) | Information |
| 3. Written Report of ExParte Communications | Information |
| 4. Grants Under \$50,000 (Gary Wolff) | Information |

Ms. Halliday made the motion to approve the Consent Calendar. Mr. Pentin seconded and the motion carried 6-0 (Kirschenheuter, Tao, Turner and Wozniak absent).

V. OPEN PUBLIC DISCUSSION

There was none.

VI. REGULAR CALENDAR

- | | |
|--|-----------------------------------|
| 1. FY 14-15 Budget Adoption (RB only) (Gary Wolff & Pat Cabrera) | Public Hearing/
Action |
| That the Recycling Board hold a public hearing on the budget and then adopt the portion of the FY 14-15 budget funded by the Recycling Board pursuant to the attached resolution (Attachment I). | |

Ms. Cabrera provided an overview of the staff report. The report is available here:

<http://www.stopwaste.org/docs/budget-06-12-14-rb.pdf>

President Natarajan opened the public hearing. There were no public comments on this item and the public hearing was closed. Mr. Pentin made the motion to approve the FY 14-15 budget. Ms. Halliday seconded and the motion carried 7-0 (Kirschenheuter, Turner and Wozniak absent).

- | | |
|--|--------------------|
| 2. Legislation Positions for 2014 (P&O & RB) Gary & Jeff Becerra) | Information |
| Staff recommends that the Boards receive this status update on Agency legislative positions for the 2014 session of the California Legislature and change the Agency position on AB 2284 for support to watch. | |

Mr. Becerra provided an overview of the staff report. The report is available here:

<http://www.stopwaste.org/docs/legislation-06-12-14-rb.pdf>

Mr. Becerra indicated that AB 2145 - Community Choice Aggregation is not included in the staff memo, and staff is recommending an "oppose" position. There is interest countywide in examining this issue and this bill would limit the options available to member agencies considering the possibility of joining or forming CCA's. Ms. Halliday stated that she supports the agency's "oppose" position on AB 2145 - Community Choice Aggregation and made the motion to include the bill in the staff recommendation. Mr. Becerra indicated that the priority area of legislation is organics processing and the two most important bills are AB 1594 (Williams) ADC, and AB 1826 (Chesbro) Commercial Organic Waste Recycling. Ms. Natarajan requested that staff provide form letters of support to Board members. Mr. Becerra stated that will comply with the request and also encouraged Board members to contact legislators and leverage any relationships.

Ms. Halliday asked for clarification on AB 2282 - (Gatto) Recycled Water Infrastructure. Mr. Becerra stated the agency position changed to "watch" when the bill was modified to focus only on recycled water and not grey water reuse. Mr. Wolff added that it was originally a bill that fit within the energy water nexus priority adopted by the Energy Council.

Mr. Wozniak made the motion to approve the revised staff recommendation to include AB 2145 - Community Choice Aggregation. Ms. Halliday seconded and the motion carried 8-0 (Kirschenheuter and Turner absent).

3. **Revolving Loan Fund Variation to Guidelines (P&O & RB) Gary Wolff & Meri Soll)** **Information**

Staff recommends that the Recycling Board approve a variation from the current RLF guidelines from a maximum 5 year loan term to a 7 year loan term for Urban Ore, as described in the staff report.

Ms. Soll provided an overview of the staff report. The report is available here:

<http://www.stopwaste.org/docs/rlf-06-12-14-rb.pdf>

Ms. Tao inquired about the current monthly loan payment for Urban Ore and asked if the loan to debt ratio is healthy enough to extend the 7 year loan. Ms. Soll stated the monthly loan payment is \$1,894. Mr. Wolff added there's not a huge amount of equity available in the property but they are able to pay back the loan and the grant program is designed to assume some risk. Mr. Wozniak inquired if Urban Ore was aware of the June 1, 2014 deadline for the balloon payment and why delay their request to modify the loan. Ms. Soll stated they first modified a larger loan which enabled them to improve their cash flow.

Mr. Wozniak made the motion to approve the staff recommendation. Ms. Tao seconded and the motion carried 8-0 (Kirschenheuter and Turner absent).

4. **Grants to Nonprofits - Tours (P&O & RB) (Gary Wolff & Meri Soll)** **Action**

Ms. Soll provided an overview of the staff report. The report is available here:

<http://www.stopwaste.org/docs/gtnp-tours-06-12-14-rb.pdf>

Mr. Wolff indicated the staff memo does not include the July meeting which is scheduled to be held at the Fremont Transfer Station and could include a tour of the Education Center or a presentation by a grant recipient. Ms. Natarajan suggested a tour of the Tesla Manufacturing Plant. Mr. Wolff stated the RB meetings are public meetings and Tesla would need to accommodate this requirement. Staff will look into touring Tesla for the July meeting.

The August 14 meeting will be a tour, with a site to be determined. The September 11th meeting may be cancelled in lieu of the scheduled joint meeting on September 17th. Board members provided general direction but left it up to staff to determine the schedules for October - December. Mr. Wolff indicated there will be significant shifting of Board members between September and November and suggested scheduling a combined meeting in January 2015 to orient the incoming Board members and provide an update on the strategic plan. Board members concurred with this recommendation.

VII. **OTHER PUBLIC INPUT**

There was none.

VIII. **COMMUNICATIONS/MEMBER COMMENTS**

Given the Board members interest in Tesla, and the material management issues involved with emerging technologies for energy storage, Mr. Wolff noted that he hear recently that a number of multi-national companies are looking into developing a process for the extraction and production of lithium salts from remote, rural salt flats in Argentina to be used in rechargeable batteries. However, such mining is a significant social issue of concern in that part of Argentina.

IX. **ADJOURNMENT**

The meeting adjourned at 4:55 p.m.

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**MINUTES OF THE REGULAR MEETING OF THE
PLANNING & ORGANIZATION COMMITTEE
AND
ALAMEDA COUNTY RECYCLING BOARD**

**Thursday, July 10, 2014
7:00 p.m.**

**FINELITE, INC.
30500 Whipple Road
Union City, CA 94587
(510) 441.1100**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice to 510-891-6500.

I. CALL TO ORDER

President Anu Natarajan called the meeting to order at 7:08 p.m.

II. ROLL CALL

Barbara Halliday
Chris Kirschenheuter
Anu Natarajan
Daniel O'Donnell (arrived 7:15 p.m.)
Jerry Pentin
Minna Tao
Gordon Wozniak

Absent:

Steve Sherman
Michael Peltz
Laureen Turner

Staff Present:

Gary Wolff, Executive Director
Tom Padia, Recycling Director
Wendy Sommer, Deputy Director
Justin Lehrer, Senior Program Manager

III. OPEN PUBLIC DISCUSSION

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Board, but not listed on the agenda. Each speaker is limited to three minutes.

IV. EPA Seeds of Change Award (Gary Wolff & Justin Lehrer) Information

Justin Lehrer presented an overview of the EPA Seeds of Change Award StopWaste received for the Reusable Transport Packaging project's efforts to share best practices and duplicate efforts with other communities. Mr. Lehrer also mentioned Reusable Transport Packaging competitive grant awards are available for organizations ready to switch to reusable transport packaging for their shipping, receiving, or distribution operations. The grants are funded by US EPA and will only be available for a limited time.

V. TOUR:

Finelite, Inc.

Mr Lehrer introduced Dean Mayes, Director Of Manufacturing, Ana Koo, Industrial Engineer, and Haley Qu, Industrial Engineer. They provided a presentation about Finelite and their packaging reduction efforts followed by a walk-through of the manufacturing facility, during which they took questions from the Board. The link to the presentation is available here:

<http://www.stopwaste.org/docs/stopwaste-tour.pdf>

VI. ADJOURNMENT

The meeting adjourned at 8:40 p.m.

**MINUTES OF THE REGULAR MEETING OF THE
PLANNING & ORGANIZATION COMMITTEE
AND
ALAMEDA COUNTY RECYCLING BOARD**

**Thursday, August 14, 2014
4:00 p.m.**

**MedShare
2937 Alvarado Street
San Leandro, CA 94577
510-567-7070**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice to 510-891-6500.

I. CALL TO ORDER

1st Vice President, Daniel O'Donnell, called the meeting to order at 4:10 p.m.

II. ROLL CALL

Lorrin Ellis
Barbara Halliday
Chris Kirschenheuter
Daniel O'Donnell
Michael Peltz
Tim Rood for Anu Natarajan
Steve Sherman
Minna Tao
Gordon Wozniak

Staff Present:

Tom Padia, Recycling Director
Justin Lehrer, Senior Program Manager

III. OPEN PUBLIC DISCUSSION

There was none

IV. Overview: The MedShare Story

Andy Pines, Executive Director, and Ken Rogers, Warehouse and Operations Manager, welcomed the Board to MedShare and provided an overview of their operations. Mr. Pines noted that in addition to worldwide operations, MedShare also supplies local "safety net" and medical clinics. Mr. Sherman asked that MedShare, in any future grant applications or reports,

try to quantify the amount of resources that are re-distributed in Alameda County (i.e. value that is recirculated in the local economy). Mr. Pines said they could do that.

Mr. Rogers noted that MedShare swaps inventory at times with other medical reuse non-profits, and when some items are past date of use, they try to donate them to organizations like RAFT (e.g. tubing) where they might be repurposed for non-medical uses. Mr. Sherman suggested that StopWaste could play a role as convener of a “reuse forum” where we could get various reuse enterprises both for-profit and non-profit together in a room to network and explore opportunities for synergies and swaps.

After the initial discussion, the Board took a tour of the warehouse. Here is a link to photo's taken during the tour: <http://www.stopwaste.org/docs/medshare-tour-photos.pdf>

VI. ADJOURNMENT

The meeting adjourned at 5:17 p.m.



DATE: September 10, 2014

TO: Energy Council Board

FROM: Gary Wolff, Executive Director

BY: Wendy Sommer, Deputy Executive Director
Karen Kho, Senior Program Manager

SUBJECT: Energy Upgrade California Community Ambassadors Grant acceptance

BACKGROUND

Energy Upgrade California (EUC) is the statewide initiative developed to assist Californians in taking action to save energy, conserve natural resources, help reduce demand on the electricity grid, and make information energy management choices both at home and at work. StopWaste has conducted marketing and outreach activities for Energy Upgrade California in Alameda County and the Bay Area region since 2010. The member agency Technical Advisory Group (TAG) provides ongoing input into the targeting and delivery of outreach activities throughout Alameda County.

DISCUSSION

The goal of the EUC Community Outreach Ambassadors grant program is to build awareness about the importance of energy to Californians and provide pathways for them to take action. The program is seeking large, well-established non-profit agencies to serve as Tier 1 Ambassadors. Tier 1 agencies are required to subcontract with one additional community based organization qualified to reach smaller, diverse, hard-to-reach or underserved populations. Ten grants of \$64,250 each are being awarded statewide.

Staff reached out to several local nonprofit organizations as potential partners, and Eden I&R committed to the required scope of work. Eden I&R is the largest, most comprehensive, and most highly respected source of information and referral on housing and human services in Alameda County. The collaboration with Eden I&R will allow us to tap into their decades of experience serving as a link between hard-to-reach populations and community resources

This project leverages StopWaste's role in conducting single-family outreach in Alameda County for the Energy Upgrade California Home Upgrade program, as well as our Home Energy Analyzer behavioral

pilot. Exhibit 1 to the Resolution attached describes the Scope of Work. In short, the scope is for at least nine community meetings and at least nine meetings with community groups to increase awareness of the Energy Upgrade California program and other energy efficiency solutions, and some social media outreach. At least six of the community meetings and at least six of the meetings with community groups will be performed by StopWaste, and at least three of each will be performed by Eden IR&R.

In order to move forward with the project, the Energy Council Board needs to authorize the Executive Director to enter into agreement with Runyon Saltzman Einhorn, Inc. to accept \$64,250 and take other related actions in the attached Resolution.

RECOMMENDATION

Adopt the attached Resolution.

Attachment A: Energy Council Resolution #EC2014-__

Attachment A

**ENERGY COUNCIL
RESOLUTION #EC 2014 –**

**MOVED:
SECONDED:**

AT THE MEETING HELD SEPTEMBER 17, 2014

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT ENERGY UPGRADE CALIFORNIA
COMMUNITY AMBASSADORS GRANT AND OTHER RELATED ACTIONS**

WHEREAS, The Energy Council (herein referred to as StopWaste) recognizes that it is in the interest of the local, regional, state, and federal agencies to stimulate the economy; create and retain jobs; reduce fossil fuel emissions; and reduce total energy usage and improve energy efficiency; and

WHEREAS, StopWaste has embarked on an ongoing, coordinated effort to reduce the emissions that cause global warming, improve air quality, reduce waste, cut energy use and save money through its Green Building program and promoting Energy Upgrade California in Alameda County; and

WHEREAS, jurisdictions in Alameda County have adopted climate action goals and expressed interest in local policies to increase the energy savings in existing buildings; and

WHEREAS, the Energy Council adopted single-family retrofits as a program priority area for 2013-2015; and

WHEREAS, StopWaste is implementing the Bay Area Regional Energy Network's (BayREN) single-family outreach in Alameda County; and

WHEREAS, the Energy Council Technical Advisory Group has provided input on the targeting of single-family community outreach activities; and

WHEREAS, StopWaste developed and submitted an Energy Upgrade California Community Outreach Ambassadors grant proposal and has been selected as one of ten Community Outreach Ambassadors statewide; and

WHEREAS, Eden I&R is a social services agency that provides information about housing resources to underserved populations in Alameda County; and

WHEREAS, StopWaste will be awarded \$64,250 for conducting community outreach events in Alameda County in partnership with Eden I&R;

NOW THEREFORE, BE IT RESOLVED, that the Energy Council hereby authorizes the Executive Director to:

1. Amend the FY14/15 Energy Council budget to add project #1339: EUC Community Outreach for \$64,250.
2. Enter into all necessary contracts and agreements with Runyon Saltzman Einhorn, Inc. in order to accept Energy Upgrade California Community Outreach Ambassadors grant funds in the amount of \$64,250.
3. Hire limited term or interim staff, or sign contracts or agreements, as necessary, to expend these funds in order to implement the scope of work in Exhibit 1, attached.
4. Approve any necessary contract or agreement time extensions, modifications, or amendments.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAINED:

Gary Wolff, PE, PhD
Executive Director

Exhibit 1
EUC Community Outreach Ambassadors
Scope of Work

The EUC Community Outreach Ambassadors Grant of \$64,250 is for completion of the community outreach activities below:

Tier 1 Scope of Work

StopWaste will conduct the following activities:

Objective I: Increase awareness of Energy Upgrade California and energy-saving solutions by sharing information and distributing campaign collateral items at a minimum of six large scale community events that attract diverse, underserved and hard-to-reach populations.

Objective II: Increase awareness about Energy Upgrade California and energy-saving solutions by conducting interactive presentations for a minimum of six community groups. Interactive presentations will include tips for energy management, distribution of campaign collaterals and requests for audience members to extend messages to their respective constituencies. Targeted audiences represent diverse groups including community agencies, small business groups, environmental groups, service organizations and other diverse, underserved and hard-to-reach populations that will share information with their constituents.

Objective III: Increase awareness about Energy Upgrade California through the use of social media platforms.

Tier 2 Scope of Work

StopWaste will subcontract with Eden I&R, Inc. for the following activities:

Objective I: Increase awareness about Energy Upgrade California and energy-saving solutions by sharing information and distribution of campaign collateral items at a minimum of three community events that attract diverse, underserved and hard-to-reach populations.

Objective II: Increase awareness about Energy Upgrade California and energy-saving solutions by conducting presentations with a minimum of three community agencies and business groups that represent diverse, underserved and hard-to-reach populations.

Objective III: To increase awareness of Energy Upgrade California through the use of social media platforms.

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Energy Council TECHNICAL ADVISORY GROUP (TAG)

Friday, July 18, 2014 – 10:00 am to 11:30 am

Attendance:

County of Alameda: Liz McElligott, Damien Gossett (phone), Darryl Gray (phone)
City of Alameda: Maria DiMeglio
City of Albany: Claire Griffing
City of Berkeley: Billi Romain
City of Dublin: Kathy Southern, Roger Bradley
City of Emeryville: Karen Hemphill (phone)
City of Fremont: Dan Schoenholz, Rachel DiFranco (phone)
City of Hayward: Corrine Ferreyra
City of Oakland: Shayna Hirshfield-Gold
City of Piedmont: Kevin Jackson
City of San Leandro: Sally Barros
StopWaste: Karen Kho, Lou Riordan, Wendy Sommer, Jeffery Liang
Guest: Simon Bryce, Renewable Funding

MEETING SUMMARY

Board Update

- CCA memo
 - Board Memo posted to Basecamp
 - Potential overlap of CCA, EBEW and Utility/REN programs a concern for CPUC and Energy Council.

Water Energy Nexus

- Upcoming water-energy grant funding opportunities
 - DWR water energy grant program – a competitive statewide solicitation – has draft guidelines out and will be accepting applications at the end of year. Disadvantaged communities factor elevated in importance alongside water/energy savings. Grant capped at \$2.5 million
 - StopWaste schools team is monitoring Drought Response Outreach Program for Schools (DROPS), which may be open for public agencies to apply.
 - CPUC water-energy rule making is more directed towards increasing collaboration between water utilities and energy utilities, but it will influence 2016 program opportunities.
- Existing Partnerships
 - Prop 84 Round 3 water conservation – Agency's Bay-Friendly Landscaping group has been involved in prior rounds and would lead the conservation element if funded by DWR.
 - Alameda County Office of Education

- StopWaste Schools team has been running service learning projects and more, so they are keeping an eye on potential crossover with EC work
- Potential sectors to target
 - Focusing on sectors that we already have a program/relationships
 - Multifamily (especially Affordable Housing)
 - Schools
 - Institutional kitchens
 - Additional sectors
 - Municipalities (community centers, parks, etc.)
 - Laundry facilities (leasing issues might come up)
 - Hotels & Gyms (industrial laundry)
 - Food manufacturing, breweries
 - Staff has had conversations with Navigant, a firm that applied to RFP with expertise in experience with water-energy nexus issues and technologies
 - Subcommittee to work on a DWR water-energy proposal: Maria (Alameda), Billi (Berkeley), Corinne (Hayward), and Rachel (Fremont)

Program Updates

- Multifamily
 - Technical assistance has re-started on new projects, releasing roughly 5 projects per week from the waitlist
 - 2 or 3 lenders appear to be interested in financing program
 - Recruitment in fall to Multifamily property owners who are clients of these lenders to offer technical assistance
 - Looking for projects that are large enough to be attractive to lenders
- Codes and Standards
 - Forum on water-energy nexus at EBMUD on July 29th
 - HVAC pilot update – Berkeley’s building official interested in self-certification, also talking to Green Halo about their interface that already is being used broadly for C&D waste compliance
- Single-family/Home Energy Analyzer
- Climate Action Plan Implementation
 - Intern has been hired, mostly will be working with Dublin and San Leandro, and a little in Fremont
 - Quest is being awarded contract for technical assistance based on RFQ

Residential Pace Roll-out

- Update from Renewable Funding
 - Soft launched in June to ensure systems functioning properly – going very well so far; August 1 full launch
 - Webinar on July 25 to talk to local governments about marketing the launch
 - Looking at HERO program to learn and hopefully surpass their performance
 - Online platform eventually with real-time data for cities to access

Energy Council TECHNICAL ADVISORY GROUP (TAG)

Wednesday, August 27 2014 – 10:00 pm to 12:00 pm

Attendance:

County of Alameda: Damien Gossett (phone), Darryl Gray (phone)
City of Alameda: Maria DiMeglio
City of Berkeley: Billi Romain
City of Dublin: Kathy Southern
City of Emeryville: Karen Hemphill
City of Fremont: Rachel DiFranco
City of Hayward: Erik Pearson
City of Livermore: Judy Erlandson
City of Oakland: Shayna Hirshfield-Gold
City of Piedmont: Kevin Jackson
City of San Leandro: Sally Barros
StopWaste: Karen Kho, Lou Riordan, Wendy Sommer, Heather Larson
Guest: Jonathan Kevles, Renewable Funding
Guests by phone: Danny Santana & Nina Lang, City of Torrance

MEETING SUMMARY

Board/CCA Update

- Board supported first and fifth staff recommendations on CCA coordination and felt it was premature to take other actions. City of Hayward had comments that they recommended the feasibility study include review of energy programs coordination. The Board requested a letter to be sent to the county regarding coordination. Staff will be preparing a draft letter for the September Board meeting, and will also include letters for city managers and Marina and Sonoma CCAs .
- Alameda Municipal Power has offered to be the procurement agent for a County CCA.
- County Administrator sent letters to City Managers regarding the CCA load data request, but TAG members haven't necessarily been notified. It would be helpful for TAG members to be cc'd on future correspondence.

Electric Vehicles

- City of Torrance Electric Vehicle Planning (See PPT)
 - RFP Process quite difficult
 - Internal team coordination
 - Police department concerned about additional calls for service
 - General services concerned about having to do this work twice
 - Location of charging stations important to many different departments
 - Job Walks very important for bidders to see sites personally

- Engage the utility as soon as possible in the process
- Avg Permit fee is \$56 and contractor doesn't need to be there, but still experiencing low permitting rates for EV charging installations
 - Communication/education might be the problem
 - Torrance has formed a coalition with other cities to make permitting process as smooth as possible
- Danny & Nina from City of Torrance are open to follow up questions from TAG members
- Discuss local priorities for EV infrastructure;
 - Kathy Southern provided an overview of the EV charging station participation in the City of Dublin. (See PPT)
 - Several jurisdictions have active programs and are coordinating through BACC on grant applications.
 - Interest in followup discussions at future TAG meetings.

Residential PACE Update

- Jonathan Kevles is the new contact person for California FIRST PACE in the Bay Area
- CA First
 - Approximately 100 contractors statewide
 - \$500 incentive for homeowners who complete home energy upgrade project by mid-October
 - Working to coordinate with cities and statewide EUC efforts
- SunShares
 - Group buying solar program for city staff members (current and retired) followed by large employers in that jurisdiction
 - RFP is regional but cities can select contractors that fit their criteria
- StopWaste to consolidate outreach materials and distribute via Basecamp

Program Updates

- StopWaste applied for and received a small Energy Upgrade California marketing grant that will enable us to conduct additional community outreach events throughout the County and extend the use of the Home Energy Analyzer behavioral tool for another year. Lou will post a description of the grant on basecamp.
- PUC Proposed Decision on 2015 funding has still not yet been released, but BayREN will begin planning for 2016 budgets and 2016 proposals.
- Other program updates deferred to September TAG meeting.

NEXT TAG MEETING: Tuesday, September 16 from 1pm-3pm

2014 - ALAMEDA COUNTY RECYCLING BOARD ATTENDANCE

	J	F	M	A	M	J	J	A	S	O	N	D
REGULAR MEMBERS												
B. Halliday	X	X	A	X	X	X	X	X				
C. Kirschenheuter	X	X	A	X	X	A	X	X				
A. Natarajan	X	A	X	X	X	X	X	I				
D. O'Donnell	X	X	X	X	X	X	X	X				
M. Peltz	X	A	X	X	X	X	A	X				
J. Pentin		X	X	X	I	X	X	I				
D. Ralston	X	A	A									
S. Sherman	X	X	X	X	X	X	A	X				
M. Tao	X	A	X	A	X	X	X	X				
L. Turner	I	A	I	X	A	A						
G. Wozniak	X	I	X	X	X	X	X	X				
INTERIM APPOINTEES												
P. Cutter	X	X	X									
D. Biddle					X							
T. Rood								X				

Measure D: Subsection 64.130, F: Recycling Board members shall attend at least three fourths (3/4) of the regular meetings within a given calendar year. At such time, as a member has been absent from more than one fourth (1/4) of the regular meetings in a calendar year, or from two (2) consecutive such meetings, her or his seat on the Recycling Board shall be considered vacant.

X=Attended

A=Absent

I=Absent - Interim Appointed

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DATE: September 9, 2014

TO: Recycling Board

FROM: Gary Wolff, Executive Director

SUBJECT: Written Reports of Ex Parte Communications

BACKGROUND

Section 64.130 (Q)(1)(b) of the Alameda County Charter requires that full written disclosure of ex parte communications be entered in the Recycling Board's official record. At the June 19, 1991 meeting of the Recycling Board, the Board approved the recommendation of Legal Counsel that such reports be placed on the consent calendar as a way of entering them into the Board's official record. The Board at that time also requested that staff develop a standard form for the reporting of such communications. A standard form for the reporting of ex parte communications has since been developed and distributed to Board members.

At the December 9, 1999 meeting of the Recycling Board, the Board adopted the following language:

Ex parte communication report forms should be submitted only for ex parte communications that are made after the matter has been put on the Recycling Board's agenda, giving as much public notice as possible.

Per the previously adopted policy, all such reports received will be placed on the consent calendar of the next regularly scheduled Recycling Board meeting.

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Date: September 9, 2014

TO: Authority & Recycling Board

FROM: Gary Wolff, Executive Director

SUBJECT: Informational Report on Grants Issued Under ED Signature Authority

General Mini-grant and board agendas by giving the Executive Director authority to sign contracts and grant agreements less than \$50,000. A condition of the new grant policy is that staff inform Board members of the small grants issued at the next regularly scheduled Board meeting.

Grants – July 15, 2014 - September 15, 2014

Project Name	Grant Recipient	Project Type/Description	Location	Verification	Grant Amount	Board
Community Outreach Grants	Muslim Support Network	Non-profit grant funds to promote food scrap recycling to difficult to reach audiences (low-income, non-English speaking communities). Grantee to utilize Agency outreach materials to reach communities using their networks and social media.	Fremont	Final Report	\$5,000	RB
Community Outreach Grants	Phat Beets Produce	Non-profit grant funds to promote food scrap recycling to difficult to reach audiences (low-income, non-English speaking communities). Grantee to utilize Agency outreach materials to reach communities using their networks and social media	Oakland	Final Reports	\$5,000	RB
Reuse Grant	Waterside Workshops	Grant funds to be used to expand their bicycle repair and reuse program to increase the number of low-income/poverty level at-risk youth participating in the program. Shop utilizes 100% discarded bicycles and parts.	Berkeley	Final Report	\$15,000	

Project Name	Grant Recipient	Project Type/Description	Location	Verification	Grant Amount	Board
General Mini Grant	Oakland Hebrew Day school	Funds used to purchase recycling collection container to expand existing recycling program.	Oakland	Final Report	\$4,880	
Community Outreach Grants	Viola Blythe Community Service Center	Non-profit grant funds to promote food scrap recycling to difficult to reach audiences (low-income, non-English speaking communities). Grantee to utilize Agency outreach materials to reach communities using their networks and social media	Newark	Final Report	\$5,000	RB
Competitive Nonprofit Grants	Civicorp Schools	Funds to purchase and install a cross belt magnet which will increase efficiency of recycling operations.	Oakland	Site tour and Final Report	\$45,646	RB
Competitive Nonprofit Grants	Alameda County Early Care and Education Planning Council	Greening Alameda County Preschools. Funds used to conduct outreach and trainings to preschool directors and trainers to promote recycling and food scrap recycling. Focus on schools in low income, non-English speaking communities.	Countywide	Final Report	\$34,054	RB
Reuse Grant	Resource Area For Teaching	Funds used to collect surplus and reuse materials from Alameda County businesses to create hands-on educational activities and tool kits for Alameda County teachers and students.	San Jose	Final Report	\$15,000	RB
Competitive Nonprofit Grants	Bio Integral Resource Center	Produce BIRC's "Least Toxic Pest Control Products Directory". In addition, BIRC will provide ongoing support to Bay Friendly Landscape Training Program graduates to implement sustainable pest control practices.	Berkeley	Copy of Directory and Final Report	\$15,000	RB

Project Name	Grant Recipient	Project Type/Description	Location	Verification	Grant Amount	Board
Reuse Grant	Loved Twice	Funds used to collect, sort, box and distribute clothing to 600 babies living poverty in Alameda County, reusing 6,000 pounds of clothing from Alameda County sources.	Oakland	Final Report	\$15,000	RB
General Mini Grant	Livermore Valley Joint USD	Purchase and install water hydration stations in Granada High School gymnasium to reduce water bottle consumption.	Livermore	Site Tour Final Report	\$1,200	AB
General Mini Grant	Planting Justice	Purchase materials to construct raised bed containers for vegetable starts and compost bins.	Oakland	Site Tour Final Report	\$5,000	RB
Community Outreach Grant	Asian Immigrant Woman Associates	Non-profit grant funds to promote food scrap recycling to difficult to reach audiences (low-income, non-English speaking communities). Grantee to utilize Agency outreach materials to reach communities using their networks and social media	Oakland	Final Report	\$5,000	RB

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DATE: September 11, 2014

TO: Waste Management Authority and Recycling Boards

FROM: Gary Wolff, Executive Director

BY: Meri Soll, Senior Program Manager

SUBJECT: Reusable Bag Ordinance – Update and Change in Bag Price Recommendation

BACKGROUND

The Reusable Bag Ordinance (ACWMA 2012-02) (RBO) was adopted by the Authority Board on January 25th, 2012. The purpose of the ordinance is to reduce the use of single use carryout bags and promote the use of reusable bags at point of purchase.

Written in Section 4 (c) of ACWMA Ordinance 2012-2 is language that would require affected stores starting January 1, 2015 to make available for sale to a customer a reusable bag or recycled paper bag for a minimum price of 25 cents unless the Authority Board finds that the ordinance has substantially reduced the environmental impacts of single use bags. IF the Authority makes this finding after January 1, 2014, then the minimum 10 cent price required by the ordinance will remain unchanged.

The memo includes five sections:

1. Overview of Ordinance
2. Enforcement Activities
3. Ordinance Effectiveness Analysis
4. Pending State Legislation
5. Change in Bag Price

DISCUSSION

1. Ordinance Overview

The goal of the ordinance is to reduce environmental and litter impacts associated with the use of single use bags – using a minimum 10 cent price on both reusable and recycled content paper bags as an incentive for shoppers to bring their own bags. The ordinance currently affects 1288 stores that primarily sell packaged food and/or alcoholic beverages. The RBO prohibits affected stores from distributing single use carry out bags at point of sale and requires affected stores to:

- Offer only compliant reusable (including recycled content paper) bags at checkout;
- Charge a minimum 10 cent price for each compliant bag voluntarily purchased by customers;
- Itemize the price on customers' receipts.

2. Enforcement Results

All affected stores were inspected by end of FY 13-14; 84% of inspected stores were found compliant with ordinance requirements. We are seeking to achieve 100% compliance. A more detailed account of enforcement activities relating to the RBO can be found in the Ordinance Enforcement Update memo which is part of this Board packet. Brian Mathews, Enforcement Officer, will provide an enforcement update at the combined Board meeting.

3. Ordinance Effectiveness Analysis

To measure the impact of the ordinance on litter reduction, we partnered with the Alameda Countywide Clean Water Program to conduct an Alameda Countywide Storm Drain Trash Monitoring and Characterization Study (see Attachment A). The Authority's main goal of the study was to assess the effectiveness of the RBO by evaluating the rate at which plastic bags were observed in storm drains fitted with storm drain capture devices prior to, and after the ordinance. According to the study, the number of single use plastic bags observed in Alameda County storm drains appears to be decreasing over time. The number of bags observed during this study (conducted in 2014) was significantly less than the number observed in a similar 2011 study conducted for the Bay Area Stormwater Management Agencies Association (BASMAA). Plastic bags found in storm drains decreased by roughly 44%. This decrease coincides with the adoption and implementation of our RBO.

To assess consumer behavior change, staff conducted visual observations of customers at affected retail stores before and after the ordinance went into effect. Staff observed shoppers leaving retail stores for one hour and counted the number and type of bags, or lack of a bag, that customers used to carry their purchases. Observations were made at 17 stores that included a variety of store types such as grocery, pharmacy, convenience and big box stores throughout Alameda County. Data analysis of the observations at these stores showed a 69% decrease in paper and plastic bags. In addition, the number of shoppers bringing reusable bags and opting for no bag to carry items out of the store more than doubled. The number of bags (both plastic and paper) decreased from 1.8 bags per customer to .5 bags per customer, showing that the ordinance has created behavior change. Comprehensive study results are presented in Attachment B.

To measure change in bag purchasing activities by affected stores, staff used data from five different types of large and small "chain" stores with a presence in Alameda County. Specifically, we used bag purchasing data for the years 2012 (pre-ordinance) and 2013 (post-ordinance). Chain stores were comprised of a variety of store types - pharmacy, grocery, gas station markets, and big box stores; purchasing data for a total of 69 stores across the five chain stores was compiled. The purchasing data shows that these stores decreased their bag purchasing by 85% – translating to a decrease of almost 40 million bags in just one year. Of note is the fact that in 2013, no plastic bags were purchased by these stores and yet the number of paper bags purchased decreased by 36%. This shows that customers are not switching from plastic bags to paper bags but rather bringing their own bags or hand carrying their purchases. This data set shows that the demand for bags at

point of purchase has decreased dramatically as a result of the ordinance. Detailed Purchasing Data is presented in Attachment C.

To measure the impact of the ordinance on Greenhouse Gas (GHG) emissions, staff used both bag purchasing and observational data to assess GHG emissions as a result of Ordinance 2012-2. Using GHG emissions data from the Environmental Impact Report (EIR) conducted for the Reusable Bag and Mandatory Recycling Ordinances, it is estimated that 539 metric tons of carbon dioxide equivalent (MTCO₂E) was reduced due to the change in bag purchasing activities for 69 Alameda County stores. According to the EPA, 539 MTCO₂E is equivalent to the GHG emissions generated from 113 passenger cars over a one year period. If this GHG reduction data was extrapolated to all 1288 stores affected under the ordinance, the GHG reductions would be significantly higher.

A GHG analysis on the observational data of 17 stores shows a decrease of 54lbs of GHG emissions based on 2,115 fewer plastic bags observed in 2013 and a slight increase in GHG emissions of 5 lbs based on 103 more paper bags observed in 2013 compared to 2012. The net result is an overall net decrease of 49 lbs. CO₂ emissions due to change in consumer behavior.

DATA SOURCE	GHG Emissions Plastic Bags	GHG Emissions Paper Bags	Total GHG Emissions Results
<u>Purchasing Data</u> (69 Alameda County Stores)	DECREASE 430 MTCO ₂ E	DECREASE 109 MTCO ₂ E	DECREASE 539 MTCO₂E
<u>Observational Data</u> ¹ (17 Alameda County Stores)	DECREASE 54 LBS CO ₂	INCREASE 5 LBS CO ₂	DECREASE 49 LBS OF CO₂

¹ – Due to the smaller data set, emission reductions reported in lbs of CO₂ not MTCO₂E

The EIR for this project includes research conducted for the Australian government that *shows that all types of reusable bags have a lower GHG impact*, as long as they are used anywhere from 1.65 times for a woven HDPE bag to 9.1 times for a cotton bag. The EIR states that "the results of the analysis show that over the course of a year, virtually any type of reusable bag is environmentally superior to single-use bags. Although reusable bags may result in greater impacts than single-use bags in a bag to bag comparison, once they are reused a sufficient amount of times they become the superior option for every environmental indicator analyzed."

SUMMARY OF METRICS

Metric	Pre-Ordinance	Post-Ordinance
Stormwater Trash Analysis (40 storm drains throughout Alameda County fitted with capture devices monitored pre and post ordinance)	Number of bags found (2011) 42 Average annual # of single use bags at 40 sites: 1.15	Number of bags found (2014) 24 ¹ Average annual # of single use bags at 40 sites: .64 ¹
Visual Store Audits	Bags counted in 1 hour: • 2898 paper and plastic bags	Bags counted in 1 hour: • 886 paper and plastic bags

(1 hour visits at 17 stores to observe the number and types of bags customers used to carry out purchases)	<ul style="list-style-type: none"> • 343 reusable bags • 281 shoppers opted not to take a bag <p>Average number of bags per shopper (by bag type):</p> <ul style="list-style-type: none"> • .4 paper bags • 1.4 plastic bags • .2 reusable bags • .2 No bags/hand carry 	<ul style="list-style-type: none"> • 862 reusable bags • 722 shoppers opted not to take a bag <p>Average number of bags per shopper (by bag type):</p> <ul style="list-style-type: none"> • .4 paper bags • .1 plastic bags • .5 reusable bags • .4 No bags/hand carry
Store Purchasing Survey (Data compiled from 5 Chains totaling 69 stores in Alameda County)	<p>Purchasing Data:</p> <ul style="list-style-type: none"> • Over 36 million plastic bags • Over 13 million paper bags 	<p>Purchasing Data</p> <ul style="list-style-type: none"> • 0 plastic bags • Over 8 million paper bags
GHG emissions (Calculations derived from EIR GHG data using store purchasing data from 69 stores)	N/A	Reduction of 539 MTCO ₂ E

¹ In 2014 study, 6 bags were found at 40 storm drains with capture devices over a 3 month period; data normalized using 24 bags for a one year period for analysis.

4. Pending State Legislation

The proposed bill SB 270 is similar to our Ordinance 2012-2 in that it affects the same set of stores (mostly food stores, liquor stores and pharmacies), and requires stores that sell reusable bags and recycled paper bags to charge a price of at least \$0.10 per bag. There are some nuances, however, that make it different: including a requirement for recycled content plastic bags and allowance of compostable bags only in jurisdictions where residents have access to composting.

After a second attempt, SB 270 passed through the Assembly on August 28, 2014. September 30th is the deadline for the Governor to sign or veto bills. If passed, the law would go into effect January 1, 2015. Municipal Bag Ordinances in place before September 1, 2014 are not preempted. However, there is language in the bill that limits the changes that can be made to ordinances already in place; the only ordinance changes that would be allowed if SB 270 passes would be to 1) increase the minimum charge for bags and 2) expand the set of stores affected by ordinance. Summary of proposed legislation can be found in Attachment D.

5. Changes to Ordinance

As a result of the ordinance, people are bringing their own bags in larger quantities than expected. The data collected (anecdotal, quantitative and qualitative) has shown that the ordinance not only has had a positive impact on litter reduction but on waste prevention as well. There is an impressive decrease in the number of paper and plastic bags going home with consumers which translates into saving more resources than originally anticipated.

The data compiled by staff demonstrates that the ordinance has been effective and met the intended goals of:

- Significant reduction in the use of single use bags,
- Considerable increase in the use of reusable bags,
- Positive environmental impacts including:
 - Greenhouse Gas reduction,
 - Waste reduction, and
 - Resource conservation.

As a result, staff concludes that the minimum ten cent price is sufficient to substantially change behavior without any adverse consequences (e.g., an increase in paper bag use that leads to an increase in greenhouse gas emissions), and therefore should not increase to twenty-five cents on January 1, 2015.

When our ordinance was adopted, the WMA Board decided to consider possible expansion or modifications of the ordinance at around the same time as the minimum price decision. At the October committee meetings, staff will discuss the possibility of expanding the types of affected stores. We've separated this status report and minimum price finding memo from the larger discussion about possible changes to the ordinance because SB270 will be adopted or not by the end of September, and that decision by the State will affect what changes the WMA Board can even consider. Attachment E includes articles regarding pending SB 270 and by Save the Bay encouraging the expansion of our ordinance to all retail stores.

RECOMMENDATION

Staff recommends that Authority Board make a finding that the ordinance has substantially reduced the environmental impacts of single use bags. Under the terms of the ordinance, making this finding means that the minimum price per compliant bag will not increase from 10 cents to 25 cents.

Attachments: (links)

- A: [Stormwater Study](#)
- B: [Visual Observation Study](#)
- C: [Bag Purchasing Data](#)
- D: [Proposed Legislation](#) (summary)
- E: Articles ([Save the Bay Blog](#) and [SB 270 recent article](#))

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Date: September 10, 2014
TO: Waste Management Authority Board
FROM: Gary Wolff, Executive Director
SUBJECT: WMA Vacancies on the Recycling Board

BACKGROUND

Mayor Halliday of Hayward has left the WMA Board due to other pressing duties (welcome Board member Jones!). She also served on the Recycling Board, so there is now a vacancy on the Recycling Board that can be filled by the WMA.

Any member of the WMA Board that has not already served on the Recycling Board is eligible to serve. Each appointment is for a two-year term, and there is a term limit of four years in total. WMA Board members West, Cutter, Kalb, Carson, Tam, Maass, Sadoff, Freitas, Rood, and Jones are eligible to fill the vacancy. However, members West and Tam will be leaving the WMA Board after the November elections, and other eligible members have previously been unavailable to serve.

Board members Natarajan and Wozniak also serve on the Recycling Board, but will be leaving after the November WMA meeting. Their terms on the Recycling Board have or soon will expire, but County Counsel has advised for decades that Recycling Board members may carry over beyond the expiration of their term pending a replacement appointment. Both members Natarajan and Wozniak have agreed to carry over through the November Recycling Board meeting. I requested that they do so in order to ensure 'institutional memory' on the Board when it reviews two previous decisions of the Recycling Board. I suggest that replacement appointments for these two positions be made at the November WMA meeting, or later if necessary or appropriate.

As background for these decisions, the Recycling Board also serves as the Planning and Organization (P&O) Committee of the WMA. This means it reviews County Integrated Waste Management Plan (CIWMP) amendments and long-term planning issues, and any potential changes in StopWaste organizational structure. It also has direct authority over a significant part of the agency budget.

The Board usually meets on the second Thursday of the month. Seven of those meetings are from 4-6 p.m. at the StopWaste office. Five meetings are from 7-9 p.m., one in each Supervisorial District, in order to foster public engagement. In addition to the five WMA members appointed to

the Recycling Board by the WMA Board, there are six citizen experts in various aspects of solid waste management appointed by the Board of Supervisors (i.e., environmental education, materials processing, environmental organizations, source reduction, solid waste industry, and recycling programs). A new environmental educator is joining the Board at this meeting (welcome, Board member Stein!).

The County Charter requires monthly meetings, and members who miss two meetings in a row or more than three in a calendar year are automatically dismissed from the Board. However, interim appointments may be made by the WMA Board, when a Recycling Board member who is also on the WMA Board knows of a schedule conflict in advance.

RECOMMENDATION

Make an appointment to the Recycling Board now, and schedule other possible replacement appointments on the November WMA meeting agenda.



DATE: September 3, 2014

TO: Alameda County Waste Management Authority Board

FROM: Gary Wolff, Executive Director

BY: Brian Mathews, Senior Program Manager & Enforcement Officer

SUBJECT: Enforcement Update

BACKGROUND

This memo updates the Authority Board on activities related to the enforcement of Alameda County Waste Management Authority ordinances. The Board has requested an annual update on the prior year's enforcement activities. The memo is in four parts: General Overview, Mandatory Recycling, Reusable Bag, and Facility Fee collection ordinances. The plant debris landfill ban ordinance is implemented in conjunction with the mandatory recycling ordinance.

GENERAL OVERVIEW

At the September 2013 Authority Board meeting, staff presented the first update of on enforcement activities conducted for the implementation of ordinances adopted. Some key reminders from that update are:

- The Authority's ordinances have been adopted when a voluntary approach was deemed insufficient by the Board after a public engagement process.
- Ordinances are an attention getting device to facilitate behavioral migration toward social norms that support one or more social benefits.
- The agency's approach is to emphasize education and technical assistance prior to enforcement, and this approach is reflected in how resources are allocated.
- Authority enforcement efforts take a progressive approach. This means multiple opportunities are given to the regulated party, including coordinated offers of assistance from the City, hauler and the Authority, before monetary penalties are assessed.
- Revenue generation is not an objective of our enforcement program.

How Much is Spent on Enforcement?

The budget for enforcement activities are distributed through four projects: (1250) Waste Prevention -- Reusable Bag Implementation; (2090) Mandatory Recycling Ordinance Implementation; (3220) Disposal Reporting; and (3240) Fee Enforcement. Of the four projects project 3240 – Fee Enforcement is the only project whose budget is 100% dedicated to enforcement activities. The enforcement budget as a percentage of total project costs ranges. The enforcement component is 27% of the disposal reporting project, 29% of the Reusable Bag Implementation project, and 53% of the Mandatory Recycling project. The table below breaks down the total enforcement budget.

Project	Staff Cost	Hard Cost	Total Enforcement Budget	% of Project Budget
3240 - Fee Enforcement	\$212,330	\$180,000	\$392,330	100%
2090 - Mandatory Recycling	\$591,043	\$487,700	\$1,078,743	53%
1250 - Reusable Bag	\$68,050	\$5,000	\$73,050	29%
3220 - Disposal Reporting	\$43,787	\$0	\$43,787	27%
Total	\$915,209	\$672,700	\$1,587,909	

Core Budget	\$11,107,689
% of Core	14.3%
Total Agency	\$29,451,462
% of Total Agency	5.4%

The FY14-15 enforcement budget is up \$0.38 million over the FY 13-14 of 1.2 million. This is due in part to a change in how costs are allocated in FY 14-15. In reporting the FY 13-14 enforcement budget only 75% of the Fee Enforcement project was attributed to the enforcement cost since some accounting and information management is needed to collect fees. However, in reporting FY 14-15 enforcement costs we are attributing 100% of the project costs because the accounting and information management aspects are necessary to understand the enforcement needs of the project. This approach is more transparent and tractable year to year. The enforcement budget has also increased as we begin to implement Phase 2 of the Mandatory Recycling Ordinance. The FTE allocation to enforcement activities is 3.3 full time equivalents distributed across 12 staff. This is 1.2 FTE over FY 13-14 due mainly to the improved cost allocation and 2 intermittent staff hired in FY 14-15.

Who Enforces?

The Executive Director (ED) is the Enforcement Official as specified by the ordinances. In that capacity the ED has final authority and responsibility for implementing the ordinances. The ED

has delegated to Brian Mathews (Senior Program Manager), the role of Lead Enforcement Officer with the responsibility of interpreting the ordinances and maintaining policies and procedures necessary for the fair, equitable and transparent enforcement process. The ED, Brian Mathews and Tom Padia (Principal Program Manager, and leader of the discards management program group) make up the enforcement team with Authority Counsel providing legal review and support for enforcement activities.

Enforcement of the Mandatory Recycling and Reusable Bag ordinances is done in consultation with and coordination with the Primary Enforcement Representative (PER) of each member agency. No citations will issue for either ordinance without the approval of the PER who is designated by the chief executive of each participating member agency.

Enforcement is a partnership between the Authority, member agency staff, franchised haulers, and the regulated community. It requires timely and accurate communications. To facilitate the interactions we need a common understanding of the procedures and practices of enforcement. The Authority provides regular updates to the member agency technical advisory committee and routinely sends to all member agency PER's updates and guidelines of how the ordinances are being interpreted, implemented and enforced. The mandatory and bag ordinances each have their own websites (www.recyclingrulesac.org and www.reusablebagsac.org) which provide detailed and up to date frequently asked questions (FAQs) and answers, resources such as signage and handout templates, and staff contacts. A hotline is in place for phone inquiries and email addresses are provided for enforcement staff.

Training and communication are key components to successful ordinance implementation. Agency enforcement staff and contractors have all been certified by the CalEPA Basic Inspector Academy; a two part 40 hour course which familiarizes staff with topic areas such as constitutional protections, environmental law, safety, interview skills, elements of a violation, evidence, note taking and report writing. Each course has a mock inspection, enforcement and trial element. Most member agency staff in the role of PER have also passed the CalEPA course or have equivalent experience. Monthly inspector trainings are conducted in-house by qualified staff, and inspection materials are updated frequently to keep current the understanding of how inspections should be conducted and how inspectors should conduct themselves. Senior program staff has more extensive training including code enforcement and course work on criminal investigations and environmental law.

How Do We Enforce?

The intent of enforcement is to change behavior rather than to punish or generate revenue through fines. This intent is codified by the enforcement policies for each ordinance which require a three step process of Official Notification, Warning, and finally as a last resort, Citation. Implementing these policies requires staff and inspector trainings, inspections, and official communications with regulated parties about enforcement (including legal review). It also requires integrating these enforcement activities with other activities such as outreach

material development, media, website development, technical assistance, hauler-customer-jurisdiction relations, budget and project management, etc.

At each step of the enforcement workflow, education and technical assistance are emphasized and offered from multiple sources, including web based materials, handouts during inspections, brochures included in Official Notifications, hotline assistance and on-site training provided by StopWaste or member agency staff, contractors, or franchised haulers.

MANDATORY RECYCLING ORDINANCE

Summary of Ordinance

The Mandatory Recycling Ordinance (ACWMA Ord. 2012-01) (MRO) was adopted by the Authority Board on January 25th, 2012. For most regulated businesses, multifamily property owners, and transfer stations and landfills, the ordinance became effective July 1, 2012 with enforcement starting January 1, 2013. (Note: Pleasanton chose to participate in the countywide ordinance on an 8 month delayed implementation schedule.) Not all member agencies participate in the ordinance; the covered jurisdictions are Unincorporated Alameda County, Alameda, Albany, Berkeley, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, and Union City. Dublin, and the portion of the Oro Loma Sanitary district not in either San Leandro or Hayward are not participating. Approximately 90% of the county is covered by the ordinance. Castro Valley Sanitary District initially opted out of the ordinance but has since opted in for all accounts for Phase I and Phase II materials (with a delayed implementation date for Phase II materials via a compliance schedule waiver.)

The MRO was developed to be implemented in two phases with the first phase requiring the separation of traditional high value dry recyclables such as bottles, cans, cardboard and paper from the disposal stream. Phase I requirements applied to commercial properties with 4 cubic yards of service and above and multi-family properties with 5 units or more. Phase II of the ordinance became effective July 1, 2014 with enforcement beginning January 1, 2015 and adds food scraps and compostable paper to the list of materials that must be recycled and expands the ordinance to all commercial accounts regardless of garbage service size.

The ordinance requires multi-family commercial property owners to provide recycling containers adequate to receive all covered materials generated by their tenants and arrange for covered materials collection service and requires the distribution of educational materials on move-in and move-out of tenants.

An alternative compliance path for commercial and multi-family property owners who don't want to separate "covered materials" is to have their waste collected and processed through a High Diversion Mixed Waste Processing Facility (HDMWPF). In July, the Authority tested and certified the Davis Street Transfer Station Dry Mixed Waste Line at their Material Recovery Facility. Through the testing and certification process Waste Management of Alameda County

demonstrated that its facility could process mixed waste and have less than 10% of the residual stream be composed of high value covered materials. The San Leandro facility is the first and only (to our knowledge) facility in the State of California with this certification.

Member agencies opted into Phase II effective July 1, 2014 are Livermore, Albany, Berkeley, Emeryville, Alameda, Piedmont and unincorporated Alameda County. Oakland, San Leandro, Newark, and Fremont have opted into Phase II on a delayed implementation schedule. Hayward, Union City and Pleasanton have opted out of Phase II while certain franchise issues are resolved. The City of Dublin and the parts of Oro Loma Sanitary District not in San Leandro and Hayward will continue to not be covered by the Mandatory Recycling Ordinance unless their governing bodies decide to opt in at some future time.

Enforcement To Date

Table 1 summarizes enforcement activity to date under the MRO. The number of inspections is higher than the number of covered accounts because many commercial properties have been inspected twice and also due in part to no access on the first visit which necessitates a repeat visit. While the ordinance prohibits the disposal of covered materials, the initial inspection threshold for a 'covered material in the garbage violation' has been set at approximately 25% or more of the contents of a container. This initial practice makes clear to the recipient of an Official Notification that we are not enforcing against petty violations. It also has the effect of "getting the word out" as merchants and chain stores are notified and they realize they need to get on board with their neighboring businesses already in compliance. As Phase II begins in January, the threshold for a covered material violation will be lowered to 10%. The ordinance has a zero tolerance for disposal of recyclable material, however a waiver is available for businesses that generate less than 10% and our countywide objective is less than 10% "good stuff in the garbage". If a business is sent an Official Notification, they are given 90-120 days to correct the deficiency. If no violation is found upon re-inspection, the frequency of future inspections will be reduced.

Table 1: Mandatory Ordinance Enforcement Activity to Date

Activity	Count
Regulated Parties ¹	10,416
Inspections Conducted ²	16,224
Official Notifications Sent ^{3,4}	1,889 (18%)
Warnings Sent ⁵	272 (2.6%)
<ol style="list-style-type: none"> 1. 6001 Multi-Family accounts, 4415 business accounts. 2. Inspection conducted is higher than regulated parties due to repeat inspections. 3. 18% of the regulated community has been officially notified. 4. The majority of notifications sent are for no recycling containers or service. This is considered a 'one-time violation' if corrected. 	

Technical Assistance Related to the Ordinance

The Business Technical Assistance (TA) team provided assistance to every covered commercial account that requested TA from us, unless the member agency or hauler asked that they be referred to them for follow-up. In total, the team reached 714 covered commercial accounts in FY13/14. Of those businesses reached, 282 received first-time site assessments and 169 received follow-up proposals/recommendations. A total of 173 businesses began new recycling and/or organics collection programs. The TA team targeted businesses in two ways: through enforcement referrals such as official notification letters and the Ordinance Help Line, and through proactive targeting coordinated with City staff to reach out to businesses with little or no recycling service. A full report of the FY 2013-2014 Business Technical Assistance project will be available in October, with some highlights from the report below

- Businesses are more responsive to set up a recycling program after receiving a letter of violation than they were in the past, under a voluntary program. In many cases, businesses contact their service providers without assistance or prompting from our Business TA team to initiate new recycling service after receiving an enforcement letter.
- The Customer Relations Management (CRM) system we have developed has allowed Client Representatives to communicate with enforcement staff and be on the same page about where a business is on the enforcement spectrum. Additionally, photos from inspections allowed Client Representatives to have a more engaging and informed conversations with businesses around compliance issues.
- Estimated net change in cost that these 173 businesses realized was \$155,273 in savings, with overall GHG emissions reduction of 12,565 mtCO₂e.

Enforcement Challenges and Lessons Learned

The enforcement effort relies heavily on data from 6 major and several minor service providers who all track and manage their customer account information differently. Data from the haulers is often incomplete and sometimes out of date, and not formatted for easy electronic transfer. A tremendous amount of coordination is needed with haulers to verify information and do data clean-up. This year efforts were successful in getting the haulers to submit the service level data in a uniform format and an outside data management contractor was hired to assist in preparing the data for transfer and update to the CRM database.

We have developed and deployed (and are continuing to develop and deploy as Phase II begins) a Microsoft Dynamics CRM database which provides inspectors with real time account information and allows them to collect data on tablets and upload pictures of compliance issues for timely processing by enforcement staff. Even with this powerful tool, data management continues to be a challenge moving forward.

Another challenge has been access at multi-family and commercial properties. Inspectors strictly adhere to constitutional privacy protections and only conduct plain view inspections at the point of garbage collection. If access is not immediately available permission is sought from a property manager or responsible party. Frequently property managers are absent and/or security barriers stymie inspector's access to the garbage collection location. Still, nearly 75% of multi-family buildings that we attempted to inspect (and we inspected more than 50% of all multi-family buildings) were inspected successfully in the first round. Of violations found, 98% were for inadequate recycling service.

To overcome the access challenge, the enforcement staff has instituted an administrative compliance review procedure for Multi-Family. Hauler account information is reviewed to determine if recycling service is being provided. If no record of recycling service is evident, the property is sent an Official Notification requiring them to get recycling service or demonstrate through invoice or other records that service is being provided. Future inspections for multi-family buildings will focus on those situations where the property owner or manager does not respond to the notice in a satisfactory manner.

As Phase II rolls out two new challenges are evident early on: 1) the number of covered accounts increases by more than 300%, and 2) not all business accounts will generate more than 10% organics in their garbage containers, even if they do not have separate organics collection. For those jurisdictions which have opted in, the number of covered accounts increases over Phase I covered accounts by 336%. To manage the increase only a small number of cart accounts will be inspected with the remaining going through an admin review. By not inspecting cart accounts, the increase in inspections is somewhat more manageable at a 190% increase over Phase I inspections. Additional agency resources will need to be committed to support the inspection effort. Not all business accounts will need to get organics recycling service because they don't generate significant quantities of organics. The MRO team will target organics inspections to High Organics Generators (HOG's) identified as those businesses that have food handling permits from County or City of Berkeley Environmental Health Departments, California Dept. of Food and Agriculture, or other food permitting regulators like USDA. This will facilitate an innocent until proven guilty approach, and reduce the burden on the regulated community of having to get organics recycling service they may not use very much.

Finally, despite our best efforts, sometimes we got it wrong. The inspector didn't see the recycling container or the database of hauler account information was not up to date for that account, etc. We've sent out Official Notifications erroneously. When an Official Notification has gone out erroneously and is brought to our attention, we ask the customer to provide some form of receipt showing the service is being provided and we rescind the Notification. We also apologize for the error and explain what we are doing to prevent such errors in the future.

In early August members of the project team presented the Mandatory Recycling enforcement program to a standing room only crowd of over 100 attendees of the California Resource Recovery Association meeting in San Jose. As Phase II rolls out, we will likely have the largest locally enforced mandatory recycling program in California.

REUSABLE BAGS

Summary of the Ordinance

The Reusable Bag Ordinance (ACWMA 2012-02) (RBO) was adopted by the Authority Board on January 25th, 2012. The purpose of the ordinance is to reduce the use of single use carryout bags and promote the use of reusable bags at the point of sale in Alameda County. All fifteen member agencies with stormwater management responsibilities, covering the entire County, chose to participate. The ordinance affects approximately 1,288 full-line, self serve retail stores in Alameda County. They include grocery stores, pharmacies, convenience stores that sell milk, bread, soda and snack food, and liquor stores.

Enforcement To Date

Much like the MRO, the RBO ordinance implementation relies more heavily on education and outreach than on enforcement. Marketing materials, table top and counter displays at check-out locations, posters, post-cards and other informational material has been critical to informing affected businesses and customers of the change. There was an extensive outreach campaign in 2012, prior to the beginning of enforcement in 2013. Enforcement activities in FY 13-14 are summarized in Table 2.

Table 2: Bag Ordinance Enforcement Activity to Date

Activity	Count
Regulated Parties ¹	1,288
Enforcement Inspections Conducted ²	1,368
Notifications Sent ³	207 (16%)
Follow-ups ⁴	207
<ol style="list-style-type: none"> 1. Regulated stores dropped as a result of an inspection which found they did not meet the definition of Store per the ordinance. 2. All covered stores were inspected by the end of FY 13-14. Inspections are greater than regulated parties per note number 1. 3. Enforcement actions only occur for distributing single use non-reusable bags, or not charging or not itemizing the charge on the customer receipt. 4. 207 Stores will be re-inspected in FY 14-15 using MRO inspection resources. 	

Enforcement Challenges and Lessons Learned

The biggest challenge so far is the unintended consequence of some stores migrating to 'thicker plastic' bags which may or may not meet the strict definition of reusable in the ordinance. Because the ordinance relies on a definition of reusable which can only be determined by laboratory testing it can be costly to engage in an enforcement action. Also, lab tests the Authority has conducted have had mixed results with some bags passing and seemingly identical bags failing. The factors which dictate pass/fail sometimes are as minor as which batch of resin was used or other factors of manufacturing which cannot be anticipated or tested for. Some pass and some fail independent testing for strength, or are smaller than specified in the ordinance. On the positive side large corporate stores and chains were compliant from the start and predominately moved from plastic to paper or no bags, reducing the need to inspect these stores.

There are many vendors and varieties of thicker plastic bags and issuing citations against those that fail testing would not address the entire problem. It is most often the small corner market that is buying bags by the case who would suffer from a more deliberate enforcement effort. They are buying bags which are being marketed to them as meeting the requirements of the ordinance, and some do and some don't. The ordinance does not apply to manufacturers and distributors where enforcement could affect more of a change. To enforce based on the strict definition in the ordinance would require a significant increase in the testing budget of the project. Laboratory test results would be the evidence to take enforcement action which would hold up to challenge and to show plastic bags did not meet the reusable standard in the ordinance. In the meantime, we point stores to the website which has a list of compliant bags which are available and have been tested. We call this the 'safe harbor' list of bags.

The Authority Board will be considering the merits of increasing the per bag charge in FY 14-15 and expansion of the ordinance to all retail (including restaurants as some communities have done) or to some subset of all-retail.

FACILITY FEE COLLECTION

The Authority's facility fee of \$4.34 per ton landfilled applied historically only to 'disposed tons' (mostly, conventional waste from residences and businesses) at landfills in Alameda County, or disposed tons hauled by franchised haulers to out of County landfills. [The phrase 'disposed tons' is a term of art created by the CA legislature in 1995 when they created a category of wastes deposited in landfills but not considered as disposed (so-called "beneficial reuse," which includes "alternative daily cover.")] In 2009, the Board expanded the coverage of the fee to all waste (disposed and other) originating in Alameda County and deposited in landfills anywhere in California. This expansion in the coverage of the fee was done to create a more equitable distribution of fee burden across types of waste and landfill locations. However, the fee on

“other waste” (contaminated soils, biosolids, auto shredder fluff, and other wastes categorized as beneficially reused by the landfill operator) was sunset as of January 1, 2013 as part of agreements with the two companies that own landfills in County (Waste Management and Republic Services) in exchange for investments in diversion facilities and assistance in designing a more effective fee system.

The Authority Board adopted the Facility Fee Collection Ordinance (ACWMA Ord. 2009-01) in 2009 in order to provide clear administrative procedures for enforcing collection of the facility fee. Prior to adopting the ordinance, the only means of enforcing the fee was litigation.

Collecting the fees on waste exported from the county continues to be challenging. For the most part, once a hauler has been identified and the obligations of the ordinance are made known to them, the hauler generally complies. In FY 2013-14 Authority Staff collected \$678,279 in out of county fees. That figure is almost twice what was collected in the previous three year period due in part to hiring dedicated (retired) Alameda County Sheriffs staff whose focus is solely on Facility Fee collections, and in part because some of the fee payments represent tonnages disposed in previous years but for which payment was received by the Agency in FY 13-14.

In FY 13-14 the Facility Fee enforcement team began to introduce an on-line fee payment program to facilitate a more user friendly and paperless reporting and payment process. The platform is a web-based program which allows regulated entities to register and report and remit the facility fee payments on line. The program, MyGov, is widely used in city building departments for project permitting and inspection. Those same features have been customized to track Facility Fee payments and enforcement actions.

In FY 13-14, we experienced the first appeal of a citation issued to a regulated party. The amount of the citation was for \$70,983 of which \$66,583 was Facility Fees and the remainder was the fine for non-payment. The regulated party challenged several aspects of the citation including our authority to issue an administrative citation, the regulated party's obligation under the ordinance, and the administrative process. The appeal process called for a review in front of an appeal hearing officer, arranged by Pat Cabrera in her role as hearing administrator (separate by policy from the ED's role as Enforcement Official), and was held at the Authority offices. Brian Mathews, backed up by Authority Counsel and staff Investigator Dean Stavert, represented the Authority at the hearing. The regulated party was represented by an attorney who strongly made the case for dismissal. The appeal hearing officer upheld the citation against the regulated party, who then exercised their right under the appeal process to request Superior Court review of the citation. Authority Counsel was then placed in a leadership role for the collection process. Before the calendared hearing was to occur, however, the regulated party sought to settle. The settlement we agreed to was for the full amount of the citation (fee plus fine).

Although the appeal process was new to us, and resource intensive, it was a positive experience overall that validated our enforcement policies and procedures. One lessons learned from the process resulted in a minor modification to future citation language.

Challenges continue for Facility Fee enforcement which are being addressed through a multi-pronged effort. In January, ED Gary Wolff, along with Board President Don Biddle, Board Member Dan Kalb, and Authority staff Brian Mathews and Tom Padia met with CalRecycle Director Carroll Mortensen and Deputy Director Scott Smithline to discuss difficulties in getting information from some landfills that have refused to provide some information. While specific outcomes were not reached, the parties agreed that the state Disposal Reporting System (DRS) -- a potentially important source of data for enforcement -- has some serious deficiencies.

Enforcement staff continues to develop cooperative relationships with other entities that encounter the same difficulties collecting fees and with those who can assist with their collection. To collect fees from fee evaders, solid evidence is required. Obtaining such evidence is a significant work effort, and there are limitations to how effective our fee enforcement can be under current conditions. Options to strengthen our position include statewide legislation, local legislation, or legal actions to obtain information under current laws. These options have been discussed with the Board previously, and we will continue to consult with the Board as we work to more effectively collect fees in the future. As a final note, reducing fee evasion is not just a revenue issue, it is also essential to be fair to those who do pay fees.

RECOMMENDATION

None. This report is informational.

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DATE: September 11, 2014

TO: Waste Management Authority, Energy Council and Recycling Board

FROM: Gary Wolff, Executive Director

BY: Jeff Becerra, Communications Manager

SUBJECT: Preview of New Agency Website

BACKGROUND

A new StopWaste website will launch this fall. It is organized around the two materials management cycle categories in our strategic plan: Product Decisions and Discards Management. This mirrors the current Agency project structure. The website includes updated information and pages for projects, adds features that simplify the user experience, and has stronger visuals and a more updated graphic appeal than the existing website.

Staff will preview the new website at the September 17 joint board meeting. The presentation will highlight key sections of the site, including the various ways stakeholders can interact with the Agency.

RECOMMENDATION

There is no recommendation at this time. This report is for information only.

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DATE: September 10, 2014
TO: Recycling Board
FROM: Gary Wolff, Executive Director
SUBJECT: Board Member Report of Conference Attendance

BACKGROUND

Board Member's Sherman and O'Donnell attended the California Resource Recovery Association's Zero Waste conference in San Jose, August 3-6, 2014. Board Member Sherman provided a written overview of his experience. The overview is attached to the staff memo. Board Member O'Donnell did not provide a written overview but may have some experiences to share verbally.

RECOMMENDATION

This item is for the information of the Board.

I attended the California Resource Recovery Association's Zero Waste conference in San Jose, Aug 3-6, 2014.

Here's an overview of some of what I learned:

1. Interest in food waste reduction and organics recovery and processing continues to grow.
2. At the state legislative level, a few bills that have a chance of passing could result in a much greater supply of commercial organics and a phasing out of recycling diversion credit for alternative daily landfill cover by 2020.
3. At the state regulatory level, the major draft revisions to the composting regulations are nearly done, and it behooves all interested parties to examine and comment on the extensive and substantive proposed revisions closely this year.
4. StopWaste's comprehensive approach to implementing the Alameda County Mandatory Recycling Ordinance drew a packed audience, with questions and comments from the audience regarding enforcement, education and outreach, and how to deal with difficult challenges. Clearly, StopWaste is a key leader in the transition from a voluntary program used by some customers to required participation by all.
5. The recent vote by Oakland's City Council to award of Oakland's trash, recycling, and organics collection and processing franchises to California Waste Solutions over City staff's recommendation of Waste Management came as a surprise. Several people wondered aloud whether this is the right time for StopWaste to buy or lease-to-buy the Davis Street Transfer Station from Waste Management.
6. Overall, from various other presentations and the tenor of private discussions I held, the field continues to move in the direction of looking for ways to work across environmental media—land, water, energy—as it takes incremental steps toward greater focus on integrative resource management instead of the sector topic of solid waste management.

Steven
Sherman

ACRB

DATE: September 11, 2014

TO: Energy Council Board

FROM: Gary Wolff, Executive Director

BY: Wendy Sommer, Deputy Executive Director

SUBJECT: Community Choice Aggregator – Letters of Interest

BACKGROUND

At the July 2014 meeting, the Energy Council directed staff to draft a letter to the County of Alameda expressing our interest in participating in the County's CCA formation process, and bring it back for the Council's review and approval.

DISCUSSION

After further internal discussion, staff recommends that we also send letters to the City Managers to inform them of our intentions and capabilities. We also drafted letters to the two existing CCAs (Marin Clean Energy and Sonoma Clean Power) to help ensure that energy-efficiency programs are properly coordinated should their service areas extend into Alameda County.

With the departure of Board member Barbara Halliday, the position of President of the Energy Council is vacant, hence the blank name on the signature block for the letters. The Council might want to fill this position by electing the 1st Vice President (Board member Pauline Cutter) to serve this function; the 2nd Vice President (Board member Dan Kalb) to fill the 1st Vice President's position; and electing a third Council member to serve as the 2nd Vice President.

The letters to the County of Alameda and City Managers include a summary of the Energy Council's current projects, accomplishments and technical qualifications. We will have a short presentation at the meeting to go over this with you.

RECOMMENDATION

Staff recommends that the Energy Council:

1. Elect the 1st Vice President to be the President of the Council; the 2nd Vice President to fill the 1st Vice President position; and another Council member to fill the 2nd Vice President role
2. Review, approve, and authorize the Council President and Executive Director to sign and send the attached letters

Attachments:

1. Letter to the County of Alameda
2. Letter to City Managers
3. Letters to Marin Clean Energy and Sonoma Clean Power



StopWaste is
the Alameda
County Waste
Management
Authority, the
Alameda County
Source Reduction
and Recycling
Board, and the
Energy Council
operating as one
public agency.

Member Agencies:

Alameda County
Alameda
Albany
Berkeley
Dublin
Emeryville
Fremont
Hayward
Livermore
Newark
Oakland
Piedmont
Pleasanton
San Leandro
Union City
Castro Valley
Sanitary District
Oro Loma
Sanitary District

September 18, 2014

Ms. Susan Muranishi
County Administrator, County of Alameda
1221 Oak Street, Suite 555
Oakland, CA 94612

RE: Letter of Interest - Energy Council Participation in CCA Formation

Dear Ms. Muranishi,

I would like to express the Energy Council's interest in participating in the County's process of exploring formation of a new CCA. The Energy Council is a public Joint Powers Agency created in 2013 by your agency and 12 cities in Alameda County to assist members with developing and implementing programs and policies that reduce energy demand, increase energy efficiency, advance the use of clean, efficient and renewable resources, and help create climate resilient communities.

The Energy Council's initiatives are carried out by staff of the Alameda County Waste Management Authority (established in 1976) under the umbrella name of StopWaste. The Energy Council's programmatic activities are an extension of StopWaste's pioneering work over more than two decades helping local governments, businesses, schools and residents solve critical solid waste issues while also capturing multiple benefits in related fields (e.g., energy, water, health, and climate change). Please refer to the attachment for more information about the Energy Council, its members, current projects and technical qualifications.

On behalf of the Energy Council Board, I would like to voice our support of your efforts to thoroughly investigate creation of a CCA in the East Bay area. Many of our member agencies have identified CCA as a way for local governments to reduce their carbon footprint and to meet their Climate Action Plan goals. The Energy Council's JPA specifically states that Energy Council shall not have the power to operate as a community choice aggregator. However, Energy Council staff has been supporting member agencies in their consideration of CCAs by disseminating relevant studies and facilitating conversations of the Technical Advisory Group (TAG), which is comprised by

1537 Webster Street
Oakland, CA 94612

p 510-891-6500
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ATTACHMENT 1

staff representatives from all jurisdictions in Alameda County. County Planning staff has recently begun to participate in the monthly Technical Advisory Group meeting to provide updates on the County's CCA feasibility study.

The Energy Council Board, Technical Advisory Group and staff are engaged in local and regional energy issues and activities and would like to provide input to the CCA formation process. Early and on-going collaboration with the Energy Council Board, TAG, and staff will ensure that Alameda County constituents benefit from comprehensive and cost-effective energy programs, and that there are no adverse unintended consequences should the County form a CCA.

Please ask the relevant County staff to contact Wendy Sommer, our Deputy Executive Director at 510-891-6523 or wsommer@stopwaste.org , to plan and implement such collaboration.

Thank you and we look forward to our collaboration.

Sincerely,

Energy Council Board President

Cc: Supervisor Keith Carson, and member of the Energy Council Board
Chris Bazar, County CDA Director
Albert Lopez, County Planning Director
Bruce Jensen, County Planning Department

The Energy Council

The Energy Council was formed in 2013 as a Joint Powers Agency to seek funding on behalf of its member agencies to develop and implement programs and policies that reduce energy demand, increase energy efficiency, advance the use of clean, efficient and renewable resources, and help create climate resilient communities. The Energy Council assists its members in strengthening staff capacity, providing technical expertise, and securing funds to implement local sustainable energy strategies.

Membership

To date, thirteen members serve on the Board (the County of Alameda and the Cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Newark, Oakland, Piedmont, San Leandro, Union City). The Board has been meeting since April 2013. An Energy Council Technical Advisory Group (TAG) comprised of staff representing participating jurisdictions meets monthly and provides input on program elements and coordinates energy program related activities within the County.

Program Priorities

As approved by the Energy Council for 2013-2015:

- Single-Family Retrofits
- Multifamily Retrofits
- Innovative Financing
- Labeling and Recognition Programs
- Codes & Standards
- Integrated Services for Small/Medium Commercial Business
- Water/Energy Nexus
- Municipal Building Operations

Funding

Projects and staffing are funded from external grants and sources.

Current Projects

- Home Energy Analyzer and Home Upgrade Advisor
- Energy Upgrade California Participating Contractors Engagement
- Green Labeling and Home Energy Score Analysis
- Heating, Ventilation and Air-Conditioning (HVAC) Preferred Path Pilot
- Pay As You Save (PAYS) On-Water-Bill Financing Assistance
- Regional Awareness Campaign for Sustainable, Drought-Tolerant Landscaping
- Bay Area Regional Energy Network (BayREN) Energy Consulting and Incentives for Multifamily Properties
- East Bay Energy Watch Multifamily Outreach
- Green Property Management Training
- Statewide Multifamily Home Energy Retrofit Coordinating Committee (MF HERCC) Chair
- Climate Action Plan Implementation
- Green Labeling for Commercial Buildings

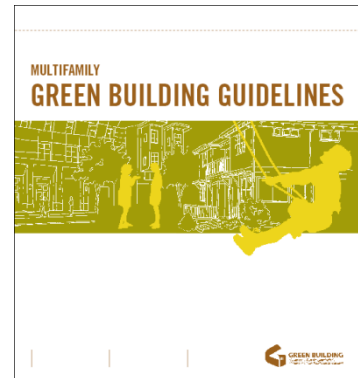
Accomplishments and Qualifications

The Energy Council's activities are an extension of StopWaste's pioneering work over more than two decades helping local governments, businesses, schools and residents solve critical waste, energy and climate issues. Here are some of our energy-related achievements in recent years:

Tools & Research for Market Transformation

To accelerate the building industry's shift toward more sustainable practices, Energy Council staff have spearheaded innovative programs, tools and research, including:

- Designing a \$7 million multifamily building energy retrofit program that **enrolled 35,000 units** within six months of launch
- Delivering customized **energy savings recommendations** to 750+ households enrolled in our pilot Home Energy Analyzer program
- Developing **comprehensive Green Building Guidelines** for home construction, remodeling and multifamily buildings
- Helping to found and steering the growth of **Build It Green** and many of its tools, including the online **Green Product Directory**, professional training curriculum and certification, and GreenPoint Rated residential rating system
- Sponsoring a University of California study that found **green-labeled homes in California sell for 9% more** than non-labeled homes
- Collaborating with the California Air Resources Board and University of California on developing the **GreenPoint Rated Climate Calculator**, which measures the reduced impact of green homes on the environment
- Piloting the **expansion of the ENERGY STAR label** to include high-rise multifamily buildings, in partnership with SF Environment and U.S. EPA Region IX
- Helping member agencies implement Green Halo software to make it **easier for building contractors to comply** with local and state requirements for construction and demolition debris recycling



Community Engagement to Grow Awareness

Energy Council staff have extensive experience developing and implementing large-scale community based outreach initiatives and comprehensive mass media campaigns that build awareness of and participation in energy saving and waste prevention activities. For example, as part of the statewide Energy Upgrade California program, we:

- Conducted direct outreach to **thousands of residents** at dozens of community and neighborhood events and workshops
- Created and implemented citywide **Energy Challenges**, partnering with cities to engage communities in energy-efficient practices at home
- Implemented countywide and regional mass media campaigns, producing over **118 million gross impressions** over 12 months in radio, online, television, outdoor and print markets



To measure the impacts of our efforts and determine barriers and motivators to behavior change, over the years we have connected with thousands of homeowners via **telephone surveys and focus groups**. The findings inform our campaign tactics and messages that drive positive behavior change. Findings include:

- 79% of homeowners who had recently remodeled or planned to remodel included energy efficiency improvements in the project.
- Over three-quarters of survey respondents had heard of the term *green building*.
- Of those who had heard of the term *green building*, 86% stated that green improvements would somewhat or very much add to a home's resale value.

Technical Assistance to Build Local Expertise

To help local government staff and private sector professionals become change agents and advocates for high performance buildings, we:

- Provided **grants and technical assistance** to help 70+ multifamily, civic and commercial buildings earn **LEED and GreenPoint Rated certification**
- Provided educational **stipends, technical assistance and training** to hundreds of member agency staff to grow their professional expertise in code compliance, green building, energy efficiency and climate action planning



Stakeholder Engagement for a Balanced Perspective

As part of our work to strengthen energy and green building policies, codes and standards, rating systems, professional education programs, and incentive and financing mechanisms, we regularly engage with **broad spectrum of private sector stakeholders**, including:

- Production home builders and remodeling professionals
- Commercial and multifamily building developers, owners, contractors and property managers
- Local and national building supply companies
- Energy consultants and raters, home performance and HVAC contractors
- Public health professionals
- Researchers and building scientists
- Building industry manufacturers

State & National Advocacy for More Effective Standards

We advocated for **stronger materials measures** in five state and national standards, including chairing the LEED Materials & Resources Technical Advisory Group. As chair of the Multifamily Home Energy Retrofit Coordination Committee, we are coordinating statewide development of consistent standards, professional qualifications, and **energy savings verification, quantification and tracking tools** for multifamily housing.

Additional board and committee participation include: Chair—**CALGreen & LEED** User Group. Vice Chair—**USGBC California** statewide advocacy group. Board Member—**Build It Green, Local Government Sustainable Energy Coalition**. Technical Committee Member—ASHRAE, UL Environment, Cradle to Cradle Products Innovation Institute, Low Income Housing Tax Credit Program/Tax Credit Allocation Committee (TCAC).



StopWaste is the Alameda County Waste Management Authority, the Alameda County Source Reduction and Recycling Board, and the Energy Council operating as one public agency.

Member Agencies:

Alameda County

Alameda

Albany

Berkeley

Dublin

Emeryville

Fremont

Hayward

Livermore

Newark

Oakland

Piedmont

Pleasanton

San Leandro

Union City

Castro Valley

Sanitary District

Oro Loma

Sanitary District

September 18, 2014

City Manager

RE: Energy Council Participation in Community Choice Aggregation (CCA)

Dear __ (City Manager),

On behalf of the Energy Council Board I am writing to inform you of our interest in participating in development and implementation of CCA in Alameda County. As you are aware, the County of Alameda has initiated a process to explore the feasibility of forming a CCA in the East Bay. You may also be aware that some smaller jurisdictions in Alameda County have considered joining an existing CCA. There are two existing CCAs operating in the Bay Area: Marin Clean Energy and Sonoma Clean Power.

The Energy Council's JPA specifically states that Energy Council shall not have the power to operate as a community choice aggregator. However, we have been supporting Alameda County jurisdictions in their consideration of CCAs (existing or future) by disseminating relevant studies and facilitating conversations at monthly Technical Advisory Group meetings. The Technical Advisory Group consists of staff from the county and all of the cities within Alameda County. The staff representing your city is ____ ; and Councilmember ____ sits on the Board of the Energy Council.

The Energy Council's activities are funded by external grants and contracts that have amounted so far, cumulatively, to more than \$15 Million to implement energy-efficiency programs and rebates. Through the Bay Area Regional Energy Network (BayREN) funded by the California Public Utilities Commission, we are leading the multifamily energy-efficiency program for all Bay Area counties. Please refer to the attachment for more information about the Energy Council, its members, current projects and technical qualifications.

If or when your community considers joining a CCA (existing or future), please let us know well in advance. Early and on-going coordination efforts will help ensure that your constituents benefit from comprehensive and cost-effective energy programs, and there are no adverse unintended consequences.

1537 Webster Street
Oakland, CA 94612

p 510-891-6500

f 510-893-2308

www.stopwaste.org 

ATTACHMENT 2

Please don't hesitate to contact me, or Wendy Sommer, Deputy Executive Director (510-891-6523 or wsommer@stopwaste.org) if you have any questions or concerns. Wendy has been the lead for our energy-related work since it formally began, with member agency support and participation, approximately six years ago.

Thank you. We look forward to continued collaboration on energy related issues.

Sincerely,

Gary Wolff, P.E., Ph.D.
Executive Director

Attachment:

CC: Energy Council/WMA Board Member
TAG Member

The Energy Council

The Energy Council was formed in 2013 as a Joint Powers Agency to seek funding on behalf of its member agencies to develop and implement programs and policies that reduce energy demand, increase energy efficiency, advance the use of clean, efficient and renewable resources, and help create climate resilient communities. The Energy Council assists its members in strengthening staff capacity, providing technical expertise, and securing funds to implement local sustainable energy strategies.

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- Multifamily Retrofits
- Innovative Financing
- Labeling and Recognition Programs
- Codes & Standards
- Integrated Services for Small/Medium Commercial Business
- Water/Energy Nexus
- Municipal Building Operations

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- Developing **comprehensive Green Building Guidelines** for home construction, remodeling and multifamily buildings
- Helping to found and steering the growth of **Build It Green** and many of its tools, including the online **Green Product Directory**, professional training curriculum and certification, and GreenPoint Rated residential rating system
- Sponsoring a University of California study that found **green-labeled homes in California sell for 9% more** than non-labeled homes
- Collaborating with the California Air Resources Board and University of California on developing the **GreenPoint Rated Climate Calculator**, which measures the reduced impact of green homes on the environment
- Piloting the **expansion of the ENERGY STAR label** to include high-rise multifamily buildings, in partnership with SF Environment and U.S. EPA Region IX
- Helping member agencies implement Green Halo software to make it **easier for building contractors to comply** with local and state requirements for construction and demolition debris recycling



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Stakeholder Engagement for a Balanced Perspective

As part of our work to strengthen energy and green building policies, codes and standards, rating systems, professional education programs, and incentive and financing mechanisms, we regularly engage with **broad spectrum of private sector stakeholders**, including:

- Production home builders and remodeling professionals
- Commercial and multifamily building developers, owners, contractors and property managers
- Local and national building supply companies
- Energy consultants and raters, home performance and HVAC contractors
- Public health professionals
- Researchers and building scientists
- Building industry manufacturers

State & National Advocacy for More Effective Standards

We advocated for **stronger materials measures** in five state and national standards, including chairing the LEED Materials & Resources Technical Advisory Group. As chair of the Multifamily Home Energy Retrofit Coordination Committee, we are coordinating statewide development of consistent standards, professional qualifications, and **energy savings verification, quantification and tracking tools** for multifamily housing.

Additional board and committee participation include: Chair—**CALGreen & LEED** User Group. Vice Chair—**USGBC California** statewide advocacy group. Board Member—**Build It Green, Local Government Sustainable Energy Coalition**. Technical Committee Member—ASHRAE, UL Environment, Cradle to Cradle Products Innovation Institute, Low Income Housing Tax Credit Program/Tax Credit Allocation Committee (TCAC).



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Member Agencies:

Alameda County
Alameda
Albany
Berkeley
Dublin
Emeryville
Fremont
Hayward
Livermore
Newark
Oakland
Piedmont
Pleasanton
San Leandro
Union City
Castro Valley
Sanitary District
Oro Loma
Sanitary District

September 18, 2014

Mr. Geof Syphers
CEO, Sonoma Clean Power
50 Old Courthouse Square, Suite 605
Santa Rosa, CA 95404

Dear Mr. Syphers,

On behalf of the Energy Council, I would like to express our interest in coordinating energy-efficiency programs if your service area extends into Alameda County. The Energy Council is a public Joint Powers Agency created in 2013 by the County of Alameda and 12 cities in the county to assist them with developing and implementing programs and policies that reduce energy demand, increase energy efficiency, advance the use of clean, efficient and renewable resources, and help create climate resilient communities. All Energy Council initiatives are carried out by staff of StopWaste.

Many of our member agencies have identified CCA as a way for local governments to reduce their carbon footprint and to meet their Climate Action Plan goals. The Energy Council's JPA specifically states that Energy Council shall not have the power to operate as a community choice aggregator. However, we have been supporting our member agencies in their consideration of CCAs (existing or future) by disseminating relevant studies and facilitating conversations at monthly Technical Advisory Group meetings. The Technical Advisory Group consists of staff from the county and all of the cities within Alameda County.

We are aware that some of our smaller cities have explored joining an existing CCA. As an implementer of energy-efficiency programs and rebates in Alameda County, we want to ensure the seamless delivery of programs to our constituents. In order to do so, we would like to coordinate with you in advance if one of our cities decides to join SCP.

Thank you for your consideration. Please contact Karen Kho at 510-891-6509 or kkho@stopwaste.org if you have any questions or concerns.

Sincerely,

Energy Council Board President

1537 Webster Street
Oakland, CA 94612

p 510-891-6500
f 510-893-2308
www.stopwaste.org

StopWaste is the Alameda County Waste Management Authority, the Alameda County Source Reduction and Recycling Board, and the Energy Council operating as one public agency.

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Oakland
Piedmont
Pleasanton
San Leandro
Union City
Castro Valley
Sanitary District
Oro Loma
Sanitary District

September 18, 2014

Ms. Dawn Weisz
Executive Officer, Marin Clean Energy
781 Lincoln Ave., Suite 320
San Rafael, CA 94901

Dear Ms. Weisz,

On behalf of the Energy Council, I would like to express our interest in coordinating energy-efficiency programs if your service area extends into Alameda County. The Energy Council is a public Joint Powers Agency created in 2013 by the County of Alameda and 12 cities in the county to assist them with developing and implementing programs and policies that reduce energy demand, increase energy efficiency, advance the use of clean, efficient and renewable resources, and help create climate resilient communities. All Energy Council initiatives are carried out by staff of StopWaste.

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We are aware that some of our smaller cities have explored joining an existing CCA. As an implementer of energy-efficiency programs and rebates in Alameda County, we want to ensure the seamless delivery of programs to our constituents. In order to do so, we would like to coordinate with you in advance if one of our cities decides to join MCE.

Thank you for your consideration. Please contact Karen Kho at 510-891-6509 or kkho@stopwaste.org if you have any questions or concerns.

Sincerely,

Energy Council Board President

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October 2014 Meetings Schedule

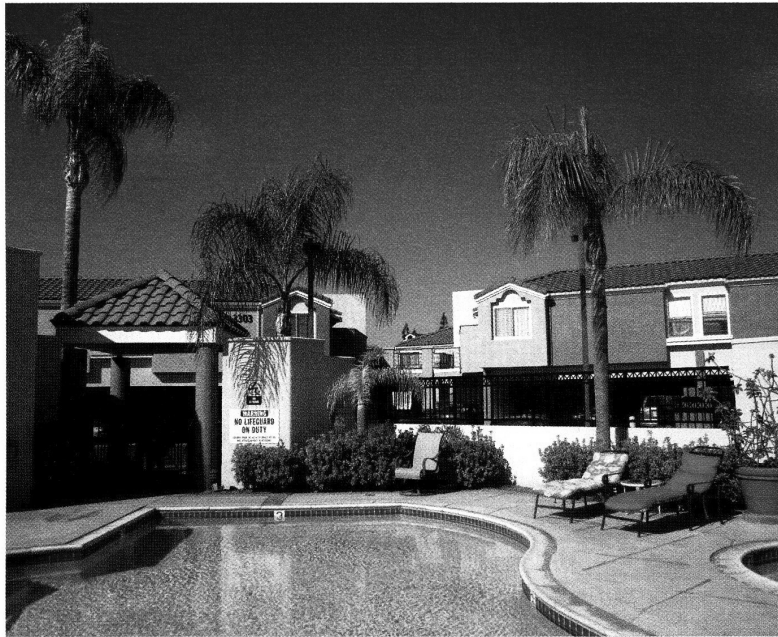
Alameda County Waste Management Authority, The Energy Council, & Source Reduction and Recycling Board

(Meetings are held at StopWaste unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
			1	2	3	4
5	6	7	8	9 <div> Programs & Administration Committee 9:00 AM </div> <hr/> <div> 7:00 PM Planning & Organization Committee /Recycling Board Castro Valley Library </div>	10	11
12	13	14	15	16	17	18
19	20	21	22 <div> 3:00 PM Authority Board & Energy Council </div>	23	24	25
26	27	28	29	30	31	

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The Villa Anaheim seniors housing development conducted a Green Physical Needs Assessment to determine where it could achieve optimal energy savings.

A GREENER HORIZON FOR ENERGY RETROFITS

A look at the growing market in energy efficiency retrofits of existing buildings in California.

By Lance Collins

The construction market has shifted its balance from new developments to retrofits of existing buildings, with a renewed focus on sustainable building practices. The combination of rising energy costs, a changing regulatory landscape and the availability of rebates to subsidize energy upgrades are leading more and more building owners to look to energy retrofit projects to address their building's operational deficiencies. Improving energy efficiency not only reduces greenhouse gas emissions, but lowers operational costs, increases durability and improves occupant comfort.

Policies, Incentives and Programs in California

In California, a number of policies and codes — including AB 1103, AB 32, CALGreen and Title 24 — require energy disclosure, greenhouse gas reporting, or regulate minimum energy efficiency standards and green building practices. Various government or private cash rebates, tax credit financing or free consulting services are available to offset the costs. They also in-

see *GREEN*, page 38

A GREENER HORIZON FOR ENERGY RETROFITS

GREEN from page 1

centivize building owners to implement energy efficiency measures. It may also make a property eligible for a green certification — such as LEED, Energy Star or Green Point Rated — which can be an attractive market differentiator when leasing or selling a property.

The challenge: meeting regulations and funding projects in the real world.

Many retrofit projects realize significant energy savings through standard



The 88,000-square-foot Aquarium of the Pacific in Long Beach underwent an energy audit, after which time engineering drawings and specifications were prepared to replace boilers and installing controls.

measures like HVAC replacement, better insulation, installation of temperature/lighting controls or renewable energy generation. The challenge for each energy upgrade project is to meet regulations and obtain all available funding to reap the best returns.

Partner Energy recently saw this process exemplified for a project conducted at the 88,000-square-foot Aquarium of the Pacific in Long Beach where an energy audit, engineering drawings and specifications were prepared to replace boilers and installing controls. This was financed through a mix of funding sources like a CO2 reduction grant from the Port of Long Beach and rebates offered by the local utility Southern California Edison (SCE). The facility has also committed to installing fuel cells that would offset about 70 percent of its electric use. This project yielded an estimated reduction of 83,944 tons of CO2 emissions, 20,000kwh and \$13,000 dollars per year. The fuel cell project will be financed through a Power Purchase Agreement and will utilize rebates from the local utility company to reduce the upfront costs of the system.

Similarly, at Villa Anaheim, a 135-unit seniors housing develop-



Lance Collins

The key to a successful retrofit project is to maximize all of the financial tools available to aggregate multiple funding sources, and timing is critical in doing so.

ment, a Green Physical Needs Assessment was conducted as a requirement for the property's financing through CTCAC, the California Debt Limit Allocation Committee (CDLAC) and the California Housing Financing Agency (CalHFA). By replacing the roof and installing a new HVAC system, windows, lighting and low-flow water fixtures throughout the facility, the owner was able to achieve energy savings of more than 20 percent from the pre-build condition. This was enough to qualify for whole-building energy reduction rebates through the local utility provider program. Altogether, the project yielded estimated energy savings of more than \$40,000 and 250,000kwh per year.

The key to a successful retrofit project is to maximize all of the financial tools available to aggregate multiple funding sources, and timing is critical in doing so. Codes change, legislation is updated, funding sources and incentives can run out, and most financing programs have annual application and reward cycles. Because of this, it is imperative to identify the scope of work and the types of funding that may be available as early as possible, and to be aware of associated deadlines. This will keep upfront costs down, reduce payback time and ensure optimal return on investment.

Lance Collins, AIA, LEED AP, Senior Project Manager, Partner Energy in Torrance, Calif.



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Santa Barbara County Eyes \$50 Million Trash-to-Energy Project for Tajiguas Landfill

http://www.noozhawk.com/noozhawk/article/santa_barbara_county_eyes_50_million_trash_to_energy_project_20140816

By Joshua Molina, Noozhawk Staff Writer | [@JECMolina](#)



A new Resource Recovery Project that Santa Barbara County is proposing for the Tajiguas landfill would be able to separate the recyclable and organic material that local trash customers already sort themselves. "This is really aimed at getting the recyclable material that we are leaving in the trash can," says Matt Fore, manager of the City of Santa Barbara's Environmental Services Division. "We still leave a lot of recyclable material in the trash." (Tom Bolton / Noozhawk photo)

Rates could rise as much as \$3 a month to pay for the facility, which is intended to reduce greenhouse gas emissions

[Santa Barbara County](#) is proposing a \$50 million trash-to-energy project that would double the life of the [Tajiguas landfill](#) and radically redefine trash diversion as we know it.

The [Resource Recovery Project](#) would pull recyclable and organic material that residents throw into their trash, sort it, and then turn the organic waste into methane gas. The gas would be converted into energy, to power on-site generators and also sell back to the grid.

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"It's a regional solution to our solid waste problem," [First District County Supervisor Salud Carbajal](#) told [Noozhawk](#). "It's environmentally friendly. It's going to be fantastic for the county."

The county released a [draft environmental impact report](#) last week and will hold a public meeting on Sept. 4. The project — bureaucratically called the Materials Recovery Facility and Dry Fermentation Anaerobic Digestion Facility — would blanket 60,000 square feet and would strip the recyclables and organic materials from the trash. The remaining trash would get buried in the landfill 17 miles west of Goleta.

At the current rate, the landfill will reach capacity in 2026; officials hope the new facility will extend the life of the landfill through 2038.

As it stands now, the county diverts about 70 percent of its trash from the landfill. It still buries about 200,000 tons, which when buried under dirt creates methane gas that escapes into the air and creates greenhouse gases. With the new anaerobic digester, county officials hope to only bury about 100,000 tons a year, the equivalent of removing 27,000 passenger cars from the road.

The county is the lead applicant on the project, but will partner with the other local agencies. The county plans to hire Newport Beach-based vendor [Mustang Renewable Power Ventures](#) to use proprietary technology for the operation; Mustang in turn will contract with [MarBorg Industries](#) to run it. [AJ Diani of Santa Maria](#) will build the facility.

Crews would also build a new groundwater well would to provide water to the project, and two new self-contained commercial wastewater units to treat the project's domestic wastewater. The project would also require a new 220,000-gallon fire suppression water storage tank to provide water for the building sprinkler systems.



At its current rate of receivables, the Tajiguas landfill west of Goleta will reach capacity in 2026. (Lara Cooper / Noozhawk photo)

"This is really aimed at getting the recyclable material that we are leaving in the trash can," said [Matt Fore](#), manager of the [City of Santa Barbara's Environmental Services Division](#). "We still leave a lot of recyclable material in the trash."

The trash that is sorted will go into the landfill, but the organics will be stripped away. They will then be placed into an airtight chamber, similar to a storage bay, and sprinkled with water. Unlike burying the trash under the dirt, the technology in the digester will capture all of the methane gas and turn it into energy.

"It's all enclosed," Fore said. "The technology we are planning is enclosed and airtight."

The project, however, will cost ratepayers more.

[Mark Schleich](#), deputy director of the county's [Resource Recovery & Waste Management Division](#), said he hopes that the rates stay "on par" but that they probably would increase between \$2 to \$3 per month. He balanced those higher rates with the benefits of reduction in greenhouse gases from burying it in the landfill, and the creation of new jobs.

Schleich said the facility would create 40 construction jobs and 56 permanent jobs to operate it.

At a recent Santa Barbara [Planning Commission](#) meeting, commissioner Michael Jordan said he had mixed feelings about the project.

"The whole project is driven by the fact that we are collectively not just doing good enough with our recycling," Jordan said. "The public overall is not doing as good as it could do."

But Schleich and Fore countered that the county is already at a 70 percent diversion rate and this new facility would increase that rate to possibly 80 percent.

"Our goal is to minimize the amount of material that goes into the landfill for the long term and provide a cost-effective solution to the community," Schleich said. "This is a cost-effective way and long-term solution for providing for waste management that is environmentally conscious."

The new facility will enhance the good efforts already being made, Fore said.

“The anaerobic digester is a really big change,” he said. “That is a new piece of infrastructure that we don’t even have.”

[San Jose](#) recently built and opened a similar facility, but on a larger scale, Schleich said, adding that the digester would single-handedly reduce the most greenhouse gases of any other project currently proposed locally.

Schleich said residents would still be incentivized to separate their own recyclables and organic waste from the trash because the result is much cleaner. For example, paper that is thrown into the trash would have less resale and recyclable value if it gets wet in the trash, even after getting stripped at the new facility.

“By people sorting at home we get a cleaner value,” Schleich said.

The public is allowed to comment on the draft EIR through Sept. 24.

— [Noozhawk](#) staff writer Joshua Molina can be reached at jmolina@noozhawk.com . Follow Noozhawk on Twitter: [@noozhawk](#), [@NoozhawkNews](#) and [@NoozhawkBiz](#). Connect with [Noozhawk on Facebook](#).

http://www.noozhawk.com/noozhawk/article/santa_barbara_county_eyes_50_million_trash_to_energy_project_20140816



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MSW recycling bill introduced in Congress

By *jade*

Created 08/12/2014 - 19:05

MSW recycling bill introduced in Congress

☐ Tue, 08/12/2014 - 19:05 | ☐ jade

MSW recycling bill introduced in Congress

By Bobby Elliott, Resource Recycling

Aug. 13, 2014

A bill recently introduced to the U.S. House of Representatives aims to up the national recycling rate by requiring manufacturers to use more recycled materials in their products.

Introduced July 30 by Mike Honda, a Democrat representing California's 17th District in Silicon Valley, the [Land Based Marine Debris Reduction Act of 2014](#) ^[1] would give the U.S. EPA the authority "to require the manufacturer of the product or packaging to use recovered materials of that or another category in the product or packaging." These new regulations would go toward achieving a 50 percent national recycling rate by 2020 and a 65 percent recycling rate by 2030, according to the bill, and lead to reductions in landfilling and littering.

"Making people aware of the problem is the first step," Rep. Honda said in a [press release](#) ^[2]. "The second is letting people know they can be part of the solution. By encouraging industry to use more recycled materials, we safeguard the sustainable use of our precious natural resources."

Chaz Miller, the director of policy and advocacy at the National Waste & Recycling Association, framed Honda's municipal solid waste (MSW) legislation in historical terms. "This is the first MSW recycling bill to be introduced on the Hill in 20 years," Miller said. "It's a statement from Congress to get the U.S. EPA to focus on MSW," Miller said.

He also noted that the recycling rate goals attached to the legislation are "aspirational." Just to get close to a 50 percent recycling rate, Miller stressed, U.S. residents would need to recycle 100 percent of product packaging generated, a fact that demonstrates the high level of organics in the MSW stream.

Robin Wiener, president of the Institute of Scrap Recycling Industries (ISRI), issued a statement to *Resource Recycling* regarding the legislation.

"ISRI commends Congressman Honda for his efforts to keep recyclable materials, including product packaging, out of solid waste landfills and waterways," Wiener stated. "Directing these materials to recycling facilities where they can be recycled into secondary raw materials used to make new products is good for the environment and creates jobs. The recycling industry is committed to working with Rep. Honda, his staff and others to strengthen this legislation to better differentiate between recyclables and solid waste and in other areas to help it meet its intended goals."


The bill, which Miller said likely will not be taken up until next year, has been referred to the influential Committee on Energy & Commerce (E&C), a 54-member group made up of 30 Republicans and 24 Democrats. It will likely head to the E&C subcommittee on the Environment and Energy, led by Illinois Republican John Shimkus.

Note: An earlier version of this story inaccurately stated ISRI will actively support Rep. Honda's bill. The organization says it has not taken a position for or against the legislation at this time.



[3]

To return to the Resource Recycling newsletter, click [here](#) [4]

 Tags: [August](#) [5], [2014](#) [6], [Resource Recycling](#) [7]

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[1] <http://www.gpo.gov/fdsys/pkg/BILLS-113hr5283ih/pdf/BILLS-113hr5283ih.pdf>

[2] <http://honda.house.gov/news/press-releases/new-bill-works-to-limit-trash-in-oceans>

[3] <http://www.call2recycle.org/who-is-call2recycle/>

[4] <http://www.resource-recycling.com/images/e-newsletterimages/RRe-news081314.html>

[5] <http://resource-recycling.com/taxonomy/term/21>

[6] <http://resource-recycling.com/taxonomy/term/37>

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ISRI says it opposes one-bin collection

By *jade*

Created 08/05/2014 - 11:46

ISRI says it opposes one-bin collection

■ Tue, 08/05/2014 - 11:46 | ■ jade

ISRI says it opposes one-bin collection

By Bobby Elliott, Resource Recycling

Aug. 5, 2014

The country's largest recycling trade organization has taken a quiet but definite stance against programs that ask residents to commingle trash and recyclables for post-collection sortation.

The Institute of Scrap Recycling Industries (ISRI) issued a two-paragraph [position statement](#) ^[1] on July 23 regarding the collection and recycling method.

"ISRI supports the collection and sortation of recyclable materials in a manner that optimizes the value and utilization of the material as specification grade commodities to be used as a feedstock to manufacture new products," the statement reads. "Since the quality of the recyclables as specification grade commodities is essential, ISRI opposes the commingling of recyclables with solid waste or mixed waste processing in a one-bin system where all solid waste and recyclables are placed together with no separation prior to recycling."


Approved by ISRI's Board of Directors on July 23, the official position comes at a time when various cities are considering the merits of the "one bin" approach. An [Aug. 6 vote](#) ^[2] will decide the fate of a proposed \$45 million mixed-material facility by Covanta in Indianapolis — the company and city have argued the operation will be able to effectively recover marketable recyclables from the trash.

Further, the city of Houston is the midst of choosing from a variety of likeminded proposals, while Cleveland is also said to be considering the change.

Many recycled commodity experts argue the relatively new method jeopardizes the quality of recycled materials due to high rates of solid waste-driven contamination.



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Links:

[1] <http://www.isri.org/docs/default-source/policy-position-statements/one-bin-collection-policy.pdf?sfvrsn=4>

[2] <http://resource-recycling.com/node/5135>

[3] <http://mrpcompany.com/>

[4] <http://www.resource-recycling.com/images/e-newsletterimages/RRe-news080514.html>

[5] <http://resource-recycling.com/taxonomy/term/21>

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Published on *GreenBiz.com* (<http://www.greenbiz.com>)

Coca-Cola crowdsources 8 ways to reinvent recycling

By *Victoria Knowles*

Created 2014-08-06 02:00

After an 11-week challenge in partnership with design and innovation platform OpenIDEO, the eight winning ideas for Coca-Cola Enterprises' brief to encourage consumer recycling are as simple as an illustrative sticker and as complicated as a dedicated app.

It's all in a bid to close the recycling gap, helping consumers develop habits and the inclination to recycle when the packaging materials are designed to be used again.

"A few years ago, we realized we had this problem around recycling rates. We also realized that the vast majority of our packs are disposed of at home," said Joe Franes, CCE's director of CSR.

Packaging accounts for 50 percent of its carbon footprint. And across the U.K., as well as France where the franchise primarily operates, only 50 percent of its bottles are collected for recycling. "That means the rest goes to landfill," Franes said.

CCE already had carried out some research. "Unpacking the Household" ([PDF](#)), in conjunction with the University of Exeter, which aimed to identify the challenges and barriers to recycling at home. They observed 20 couples, families and single-person households in Great Britain and France for six months.

The study revealed that people don't make conscious decisions about recycling; rather, it's instinctive behavior. Aesthetics are also a factor, with consumers not having the space or desire for an additional bin outside their home. Plus, common misconceptions and a lack of understanding remain about what actually happens to their recycling.

"People don't realize that some of what is recycled can often come back full circle as another product, whether it's a T-shirt or a bottle," Franes said.

Finally, digital communication and social media could be put to greater use, encouraging people to form new recycling habits.

The solution, then, was to collaborate in order to "find inspiring ideas that could be applied to improve recycling at home," said Franes. And the partnership with open-source platform OpenIDEO was born.

The initiative to improve consumer recycling habits, which offered no cash incentive, was flooded with responses. An expert panel, including representatives from the likes of Forum for the Future, WRAP, FostPlus and Casino, had to narrow down 200 ideas and 320 contributions into 25 shortlisted entries and finally eight winners.



Customizable, cute and prominent, R-Blocks make recycling much more appealing than a trip to a big, ugly recycling bin. (Credit: Alper Yağlıoğlu via OpenIDEO)

"We've been delighted with responses we have. OpenIDEO is a great community of thinkers who have applied their own thinking to this specific challenge," said Franes.

What was it that made these eight so special? "We were impressed by their creativity ... and with the whole range of ideas," Franes said. The finalist spectrum saw a simple bin sticker, mobile apps, all the way to cause-related market initiatives such as Bottles for Smiles, which donated equivalent energy to a good cause when someone recycles.

Franes said it was unfair to choose his favorite, but admitted that he "really [likes] Less, I think it's a really good idea," as well as "How Do I Recycle?" that helps determine where and how a product can be recycled.

The results only just have been announced, but the plan is to pilot and develop some of these innovations in the hope that they eventually will have an impact on CCE's recycling rates. "We're looking actively into that now," Franes said.

But with the nature of open source, the likes of the expert advisory panel or "companies like Ikea or Unilever" could also take forward any of the ideas, as well as anyone at a grassroots level.

Because these ideas are not limited to just recycling cans or bottles; it could incorporate anything from a shampoo bottle to an aerosol can. "It doesn't really matter," Franes said. "It's about utilizing the power of the online community."

With all the work that's been put into the project and supporting research, shouldn't the generated ideas be kept under wraps and patented instead of sharing it with peers? "We

really hope we can encourage people to take them forward, and develop them into meaningful practice," Franes said.



Less pits users against one another to see who can become the recycling champion. (Credit: Rob Han via OpenIDEO)

When CCE looks across its value chain, it recognizes a number of significant challenges in terms of reducing impact. "We're very convinced that we cannot act alone," Franes said. "We rely on collaboration. Those corporates that are committed to tackling sustainability in a serious way know that collaboration is going to be the heart of the future for sustainability," whether that is working with customers, suppliers or online platforms such as OpenIDEO.

The truth is, materials, recyclability and relevant infrastructure are "utterly irrelevant" without the consumer placing the right item in the right bin.

And these collaborative ideas might just be the solution. Even if everyone else gets them too.

Want a glimpse of recycling incentives of the future? Here are eight ways to reinvent waste disposal.

Waste-free Wednesday

In a similar model to Meat-free Mondays, the aim is to not use products that will end up in landfill — just for Wednesdays — in a bid to make consumers think more habitually about waste.

Bottles for Smiles

This one-for-one program transfers the benefits of recycling into an equivalent amount of energy that will benefit low-income families.

How do I recycle this?

Consumers can use this app to scan a product's barcode and input their postcode for information on how to recycle that item.

Less

A social platform incentivizes users with competition with friends and demonstrates collective impact.

CycleUp

A Web app ranks your recycling rates across your neighborhood and even your city.

Pimp your bin

A simple sticker that serves as a just-in-time reminder to help separate recyclables from trash.

R-blocks

Customizable recycling bin concept changes the perception of trash.

Recy'cream trucks

Kids and adults alike can trade in their recycling for all-fruit popsicles, low-fat frozen yogurt treats and fresh juices.

Top image of How do I recycle this? app by [Jes Simpson](#) via [OpenIDEO](#). This article first appeared at [2degrees](#).



Where other incentives fail, ice cream may succeed. Ice cream: the ultimate motivator. (Credit: Nancy Kelly via [OpenIDEO](#))

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Source URL: <http://www.greenbiz.com/blog/2014/08/06/coca-cola-crowdsources-8-ways-reinvent-consumer-recycling>



Published on *GreenBiz.com* (<http://www.greenbiz.com>)

How California dominates in clean tech leadership

By *Garrett Hering*

Created 2014-07-15 08:23

The epicenter of clean-energy leadership in the United States is San Francisco, according to a new report released today by research firm Clean Edge. But cities as diverse as Austin, Texas; Boston; Denver; and Portland, Ore., also are shaking things up.

At the top of the latest edition of Clean Edge's annual "U.S. Clean Tech Leadership Index," which contains point-based state- and metro-level indices, stand California and San Francisco, respectively.

Based on more than 70 technology, policy and capital indicators, California led all states in the data-rich ranking for the fifth consecutive year, followed by Massachusetts, Oregon, Colorado, New York, New Mexico, Washington, Illinois, Vermont and Connecticut.

"The Golden State's clean-tech prominence is broad and deep; it leads the technology category handily and ranks a very close second in both policy and capital," detailed the report, an advanced copy of which was supplied to GreenBiz.

[Learn more about resilient cities at VERGE SF 2014, Oct. 27-30.]

"With enviable solar, wind and geothermal resources, a green-minded populace, and generally effective policy levers at every level of government, California places No. 1 in all three subcategories of clean technology deployment: electricity, transportation, and energy efficiency/green buildings," it added.

RANK	+/-	STATE	LEADERSHIP SCORE
1	0	California	93.7
2	0	Massachusetts	79.4
3	0	Oregon	67.0
4	1	Colorado	66.8
5	-1	New York	64.8
6	1	New Mexico	61.9
7	-1	Washington	61.6
8	0	Illinois	61.5
9	6	Vermont	58.6
10	1	Connecticut	57.3

Top ten states from the Clean Edge Report's Clean Tech Leadership Index.

Massachusetts, however, edged out California in policy and capital indicators. The commonwealth's leadership in those two categories "proves that states without robust clean-energy resources can still be national leaders," noted the report.

Ranking third overall, Oregon trailed only California in Clean Edge's technology category, showing particular strength in hybrid and pure electric vehicles, charging infrastructure and green buildings.

But even some states that lagged in the overall ranking excelled in some notable specific areas of the report. Iowa and South Dakota, despite being indexed at No. 23 and No. 39 overall, led all states in non-hydro utility-scale renewable energy generation. By tapping their abundant wind energy resources, Iowa and South Dakota were the only states in the nation to generate more than a quarter of their electricity from renewable resources in 2013.

“Climate disruption and the growing availability of market-competitive clean-energy technologies are driving many states and cities to tackle climate issues head-on,” said Clean Edge’s founder and managing director, Ron Pernick.

Kansas, Idaho, Minnesota and North Dakota each exceeded 15 percent renewable energy on the grid.

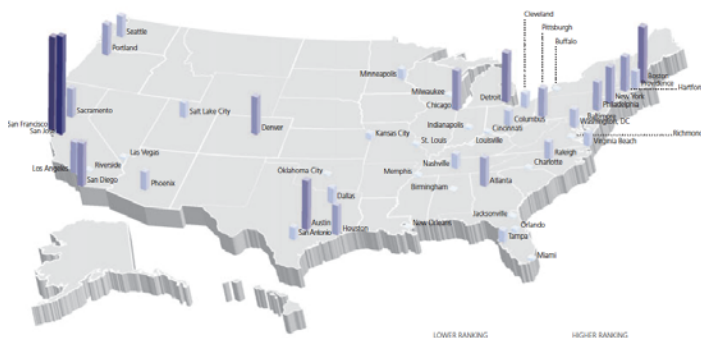


“More than ever, this year’s Leadership Index highlights how some top regions are taking climate action seriously, with double-digit clean-energy adoption rates, new policies like California’s energy-storage mandate, and the deployment of clean-energy investment vehicles such as New York’s green bank,” Pernick added.

Boston is the highest-ranking Eastern metro area at No. 6. (Credit: f11photo via Shutterstock)

The metro index — which relies on 20 indicators related to green buildings, advanced transportation, clean power, investment, innovation and jobs — ranks the 50 largest U.S. metropolitan areas. Not surprisingly, California cities swept the top three spots, led by San Francisco, San Jose and San Diego. Rounding out the top 10 are Portland; Sacramento; Boston; Los Angeles; Washington, D.C.; Austin; and Denver.

CLEAN-TECH INVESTMENT, INNOVATION & WORKFORCE



Map of Clean-Tech Investment Innovation & Workforce from the report. Click for larger image.

which rank at the bottom of the state index, and Birmingham, Ala., and New Orleans, at No. 50 and No. 49, respectively, in the metro index.

The nation’s capitol scored highest in Clean Edge’s green buildings category, based on data from the U.S. Green Building Council and U.S. Environmental Protection Agency. San Francisco led in advanced transportation, while Sacramento ranked No. 1 in clean electricity and carbon management. Silicon Valley’s San Jose topped all major U.S. metro areas in clean-tech investment, innovation and workforce.

While the authors maintain a positive tone throughout the report, the index does also expose underperformers, such as Mississippi and West Virginia,

By providing a data-driven resource for comparing the clean-tech leadership of U.S. cities and states, the annual index can serve as a useful tool to such low-ranking regions, whose own clean-tech leaders can track their progress in future years — but only by first understanding their shortcomings.

Top image of San Francisco, the top-ranking metro area in the Clean Edge report, by [Pal Teravagimov](#) via Shutterstock.

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Source URL: <http://www.greenbiz.com/blog/2014/07/15/cleanest-cities>



Published on *GreenBiz.com* (<http://www.greenbiz.com>)

North Face treks towards ambitious recycled materials goal

By *BusinessGreen Staff*

Created 2014-08-12 01:30

Outdoor product company North Face was previously on track to ensure that it used 30 percent recycled material in its products, but has now announced this will rise to 100 percent for all its polyester fabrics during the next 18 months.

As polyester accounts for 80 percent of its fabrics, the company is expecting the switch to have a significant impact on its supply chain, while driving demand for recycled polyester materials.

To achieve its goal, North Face will make use of old plastic bottles to repurpose them into polyester. But the change will require a significant effort — just 7 percent of North Face fabrics were made from recycled materials last year.

"My goal is to match the materials we use to the brand I think the North Face is," said North Face director of materials commercialization Jeff Dorton. "We've decided to put a big stake in the ground and aim to use 100 percent recycled content for all of our polyester fabric by 2016."

He admitted the target could prove challenging for the company. "Close to 80 percent of our fabric is polyester, so this is a huge goal," he said. "It's easier for us to manage a big goal like this, as we can take a win on a single yarn, get a good deal on it and spread it through the entire category. We like to go bold."

The announcement came in the same week that the NFL's Detroit Lions debuted new practice jerseys made from 21 recycled bottles.

According to reports from ESPN, the shirts are not ready to be used in games and are being used to promote a new recycling initiative at the team's stadium.

However, the move mirrors Nike's use of recycled plastic in shirts worn by international soccer teams, which already have been used at the past two World Cups.

Top image of plastic recycling bin by DaveBleasdale via Flickr. This article first appeared at BusinessGreen.

[Recycled Products](#) [Recycling](#) [Retail](#)

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Published on *GreenBiz.com* (<http://www.greenbiz.com>)

Why the world's biggest companies are investing in recycling

By *Joel Makower*

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Interest in recycling is looping back around.

That's evident from the launch of the Closed Loop Fund, a budding \$100 million effort by a group of large companies to invest in recycling infrastructure and, in the process, put more recycled materials into manufacturing supply chains. Along the way, it aims to give a boost to recycling in the United States at a time when rates are leveling off but the demand for recycled feedstocks is picking up.

Over the past few months, nine companies have invested between \$5 million and \$10 million each into the fund: Colgate Palmolive, Coca-Cola, Goldman Sachs, Johnson & Johnson, Keurig Green Mountain, PepsiCo and the PepsiCo Foundation, Procter & Gamble, Unilever and Walmart and the Walmart Foundation. More investors are expected to be announced in the next two months.

It was the last of those — Walmart — that played a key role in the fund's launch. In April 2013, the retail giant convened a supply-chain summit, with 30 recycling, consumer product and supply-chain experts, to discuss how to increase recycling in the United States. Nearly everyone cited systemic challenges with the same root cause: a lack of access to capital for cities and recycling firms to invest in the infrastructure needed to increase curbside recycling and materials processing, causing recycling rates to remain unacceptably low, according to Rob Kaplan, Walmart's director of product sustainability. Out of that meeting came the idea of creating a fund with capital from vested interests, providing cities the financial means to build or expand recycling programs.

This is no philanthropic venture. Despite impressive gains in collecting recycled materials in the U.S. — recycling rates of municipal solid waste have more than doubled since 1990, from 16 percent to 34.5 percent in 2012, according to the most recent U.S. Environmental Protection Agency figures — a lot of valuable materials continue to be wasted. After steep increases in the early 1990s, recycling rates have slowed or leveled off in recent years. Moreover, those EPA rates are skewed by a handful of materials — notably, automotive batteries and tires, of which 96 percent and 44 percent are recycled, respectively, largely due to state regulations. That means the 34.5 percent overall figure overstates the recycling rates for aluminum, glass and plastic.

That represents a massive business opportunity, according to a [2012 report](#) from As You Sow: nearly \$11.5 billion of wasted packaging a year, a rich lode of potential

manufacturing feedstocks, often at prices below their virgin counterparts and with reduced environmental impacts. More than 70 percent of that value is in plastics, which can be among the less profitable materials to collect and recycle.

Still, according to As You Sow:

The firms that process metals, paper, electronics, rubber, plastic, glass and textiles generate 137,000 direct jobs and \$32 billion in revenue. When suppliers and indirect impact are factored in, the industry supports nearly half a million jobs and generates a total of \$90 billion annually in economic activity. A recent Container Recycling Institute study concluded that beverage container recycling creates more jobs than disposal and that jobs gained in recycling far outweigh jobs lost in extraction of virgin materials, landfilling, or domestic manufacturing. A 75 percent national recycling rate could add nearly 1.5 million new jobs in this industry by 2030, according to a recent report prepared for the Blue Green Alliance and a coalition of labor and environmental groups. The report said this level of recycling would also reduce CO₂ emissions by 276 million metric tons by 2030 (equivalent to eliminating emissions from 72 coal-fired power plants), reduce conventional and toxic emissions that impact human and ecosystem health and generate a stronger economy by creating a broader employment base.

As part of Walmart's pledge to eliminate 20 million metric tons of greenhouse gas emissions by the end of 2015, the company built a strategy to increase the amount of recycled content in plastic packaging and products. "Anytime we do that, we reduce greenhouse gases and save costs because it's less expensive to re-refine plastics compared to extracting virgin petroleum from the ground," says Kaplan. "However, there are inefficiencies in the system that don't always allow those economics to work."



Source: As You Sow, "The Case for Extended Producer Responsibility for Post-Consumer Packaging"

Enter the Closed Loop Fund. It aims to provide municipalities with zero-interest loans and private firms engaged in public-private partnerships with below-market interest rates in order to spur investments in municipal recycling programs.

"The problem is that cities, unlike Walmart, don't have the up-front capital to invest in the infrastructure, whether it be carts or a recycling facility, or to upgrade their recycling facilities to make them more advanced," Ron Gonen, the fund's co-founder and managing partner, told me recently. "You solve that by making the capital available to municipalities. And the good thing about that is that you're actually unlocking a lot of value, so you don't need to do grants. You can actually do this in the form of a zero-interest or low-interest loan, because you'll be unlocking capital that they can then use to pay you back."

Seeing Black

Some of the money may be used to purchase advanced technology that can divert more waste to recyclign markets. Take, for example, optical sorters, a technology that can visually detect different types of materials. "One challenge we heard at our first meeting is that the current optical sorting technology can't recognize anything that's black," says Gonen. "So any [bottle] caps that are black, for instance, end up going to a landfill because the recycling technology can't recognize it currently. Nobody on the consumer

goods side was aware of that until we had our first investor meeting and brought in the recycling companies.”

The idea of the fund is not just to invest \$100 million once the full amount is raised — just over half has been committed so far — but to use that sum to leverage additional investments, says Gonen, who previously co-founded RecycleBank and served as Deputy Commissioner for Recycling and Sustainability for former New York Mayor Michael Bloomberg. “When we think of \$100 million, we look at it as potentially unlocking \$300 million or half a billion dollars.” Gonen says the fund already has received interest from the New York Green Bank and a similar one in Connecticut, funds that operate locally to expand capital to grow clean energy and other technologies. He estimates that the amount required to create the needed recycling infrastructure in the U.S. is in the neighborhood of \$1 billion, so his fund’s leveraging power could put a significant dent in that.



There’s additional leverage potential, says Gonen. “What we’re hoping to do with the few hundred million that we put to work is solve this for a large portion of the country, but also create models that are scalable and replicable so municipalities can invest their own capital based on that model.” One big challenge, he says, is in semi-rural parts of the country, which typically lack a recycling infrastructure or curbside recycling. He believes the fund could finance solutions that could be replicated around the country.

Closed
Loop
Fund
Managing
Partner
Ron
Gonen.
Photo
via
Closed
Loop
Fund.

I asked Gonen whether his corporate investors might play favorites — that Walmart, for example, might insist that investments be made in northwest Arkansas, near its headquarters, or Johnson & Johnson near its base in New Brunswick, N.J. That is, could investor pressure result in money flowing to where it’s popular but not necessarily needed?

“To take your question even further, there’s location and there’s types of material,” Gonen responded. “We have some people around the table that care deeply about certain regions of the country. We also have certain folks around the table that care deeply about PET or aluminum. And I think what everyone has come to understand over the last decade of trying to solve their specific problem in a region or a material type is the only way you get that solved is by solving the actual infrastructure problem in toto. Because nobody just recycles PET. Nobody just recycles aluminum. They need a curbside program.”

Moreover, he explained, the due diligence structure for the fund has been created to mitigate investor favoritism. The management team of the fund will review city applications. Those that pass muster will go to an advisory board, made up of the companies. They will provide input, but final approval for the project will be done by an independent investment committee made up of people in finance, environment, recycling and municipal management. The fund's typical investment is expected to be in the \$5 million range, with an average seven-year payback. The goal is to return all principal and interest to investors in 10 years.

The return on investment won't be high, since some of the loans will be interest-free, but that's not the primary concern of the companies writing multi-million-dollar checks. Says Walmart's Kaplan: "As recycling rates increase, we expect access to recycled content to increase for our suppliers and for costs to come down for the entire supply chain, ensuring we can offer our customers the everyday low prices that they expect. Of course, more local jobs in the recycling sector in the communities where we do business will be an important benefit as well."

Gonen is preparing for an event on October 20, where he plans to announce the closing of the fundraising portion of the project. He anticipates making the fund's initial investments in the first quarter of 2015.

Chalkboard/sticky note graphic by GreenBiz Group.

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Municipal waste could provide 12 percent of U.S. power

By *SustainableBusiness.com*

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We're not crazy about incinerators. But if we sent our waste there instead of to landfills, the U.S. could get 12 percent of its electricity from waste and heat tens of millions of homes and businesses, according to Columbia University's Earth Engineering Center.

In addition, it would keep 123 million tons of greenhouse gas emissions from entering the atmosphere each year, and would reduce the use of coal by about 100 million tons a year.

And rather than sending non-recyclable plastic to the dump, it should be converted to oil — to provide an annual 6 billion gallons of gasoline.

Going further, exhaust from waste-to-energy plants should be used for district heating, commonly done in Norway, Denmark, Sweden and Germany.

Anything that can be recycled or composted is removed before going through the process.

"Many developed nations are further along in embracing and expanding their use of energy recovery technologies as a vital part of their sustainable resource management systems. This presents an important opportunity for city planners and policy makers in the United States," says Nick Themelis, director of the Earth Engineering Center.

Connecticut, Maine, Massachusetts, Minnesota and New Hampshire, in that order, are closest to attaining sustainable waste management, by combining high rates of recycling with high waste-to energy.

[Learn more about biomass energy at VERGE SF 2014, Oct. 27-30.

District Energy St. Paul is the largest biomass-fueled hot water district heating system in North America, providing heat to over 180 buildings and 300 single-family homes.



London is embarking on a first-of-its-kind project to capture waste heat from subway tunnels and use it heat homes. Seattle is looking into using waste heat from data centers.

Here's the study: *2014 Energy and Economic Value of Municipal Solid Waste, Including Non-recycled Plastics, Currently Landfilled in the 50 States.*

This story first appeared at SustainableBusiness.com.



The Spittelau incineration plant in Vienna, Austria, designed by Friedensreich Hundertwasser. (Credit: Gralo via Wikipedia)

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Guest commentary: Temporary workers often don't know who is their boss

By Mary Vogel, guest commentary © 2014 Bay Area News Group
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ContraCostaTimes.com

For an increasing number of American workers, this is a hard question to answer. To cut costs and avoid liability, more companies are hiring workers on a temporary or contract basis. More than 17 million people are now employed as temporary, contract or freelance employees. This represents at least 12 percent of the U.S. workforce, a number that is expected to grow in coming years.

If you're a temporary or contract employee, which company is responsible for your pay, your schedule, your vacations -- and your right to a safe, healthy workplace? The temp agency that hired you, or the company where you've been assigned to work?

The right answer is both. At least, that's the right answer according to a group of temporary workers at a recycling plant in Milpitas, who get paid by one company -- Leadpoint Business Services -- but work under the direction of a different one -- Browning Ferris Industries (BFI), which operates the recycling facility.

When temps at the Milpitas plant filed a union organizing petition last year, they asked the National Labor Relations Board (NLRB) to recognize both Leadpoint and BFI as joint employers. Seeking representation by the Teamsters, the workers argued that since the two companies share control over the work environment, both should come to the bargaining table.

The regional office of the NLRB disagreed, finding that Leadpoint alone was the employer. The temporary workers have appealed, and my organization -- the National Council for Occupational Safety and Health -- recently joined an amicus brief in support of their claim that both companies are joint employers.

Determining who has -- or doesn't have -- legal responsibility as an employer makes a big difference when it comes to safety on the job. Employers say the use of temporary workers gives them needed "flexibility" in a fast-changing marketplace. Sadly, too many companies use blurred lines of authority to duck responsibility when something goes wrong.

The use of temporary labor is widespread in labor-intensive jobs like sorting and processing refuse and recyclables. So are workplace tragedies:

- "We don't train temps": That was the answer given to a U.S. Occupational Safety and Health Administration (OSHA) inspector after a 39-year-old contract employee named Simon Martinez was crushed to death by three 800-pound bales of cardboard at a Sonoco Recycling plant in Raleigh, N.C. It was the second death at the facility in less than two months.
- "Not responsible": 24-year old Travis Kidd, a temporary employee for a company called Workforce Staffing, was killed in 2011 when he was run over by a trash compactor at a landfill in Cleveland County, N.C. According to an OSHA report on the incident, "Landfill management felt they were not responsible to require or provide Mr. Kidd with the same PPE (personal protective equipment) because they considered him a temporary employee and not their employee."
- A temp's temperature: 106.9 degrees: On May 29, 2012, Mark Jefferson, a former high school basketball star, went looking for work at a temporary agency, Labor Ready, in Trenton, New Jersey. He was assigned to a truck operated by Waste Management. After nine hours throwing garbage into the truck in 90-degree heat, he collapsed and never recovered; his internal temperature was

recorded at 106.9 degrees. During his one and only day on the job, Jefferson never received any training on using rest, shade and water to avoid the hazards of extreme heat.

Temp workers, it turns out, are frequently assigned the dirty, hazardous jobs that no one wants to do, and a recent investigation by ProPublica found they sustain much higher rates of workplace injuries and illness than full-time employees.

Leadpoint Business Services employs 120 workers at the BFI recycling plant in Milpitas. It's a relatively small number of people, but they're standing up for a large cause. The growing number of U.S. temporary and contract workers should not be treated as second-class citizens. Bringing all employers to the bargaining table -- instead of letting them point fingers at one another -- is an important part of the solution.

Mary Vogel, an attorney, is executive director of the National Council for Occupational Safety and Health.